

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE STATE OF ARIZONA

AND

THE CITY OF GLENDALE

Agreement No. 41.0.504.032

Agua Fria Freeway

Section 5b

75th Avenue to 59th Avenue

Project No. AZM-600-0-504

Tracs No. 101 L MA H0798 01C

Utility Relocations

This AGREEMENT, made this 13th day of March, 1980, by and between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, first party, herein called "STATE" and the CITY OF GLENDALE, acting by and through its CITY COUNCIL, second party, herein called "CITY".

RECITALS

In connection with the construction of Project No. AZM-600-0-504, Agua Fria Freeway, Section 5b, in the City of Glendale, Maricopa County, Arizona, it will be necessary to adjust, relocate and or reconstruct existing water and sewer facilities located within the project right of way. The work to be performed under this Agreement is shown on STATE'S plans marked Exhibit "A" attached to and made a part of this Agreement.

FILED WITH SECRETARY OF STATE

NO. 14682

FILED WITH SECRETARY OF STATE

Date Filed 4/23/90

Doris Schuneman
Secretary of State

By V. Ondrejewski

No. _____

Date Filed _____

Secretary of State

The CITY facilities shown in Exhibit "A" have compensable rights as established by amendment to Section 28-1822, Arizona Revised Statutes, and amendment to Title 28, Chapter 13, Article 2, Arizona Revised Statute, adding Section 28-1834, thereto.

AGREEMENT

THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. The STATE shall, by contract for Project No. AZM-600-0-504, provide the necessary labor, materials and equipment to complete the relocation of CITY's facilities as shown on STATE's Plans for Project No. AZM-600-0-504, marked Exhibit "A" attached to and made a part of this agreement.
2. The STATE shall be responsible for all construction costs associated with the adjustment, relocation or reconstruction of water and sewer facilities.
3. The CITY shall be responsible for inspecting and accepting the installation of said facilities, and shall assume all system liability and costs associated therewith.
4. Maintenance of CITY's facilities covered by this Agreement shall be provided for by the CITY after a permit is issued by STATE, provided, however, CITY shall have a right to make emergency repairs to said facilities upon notice to STATE and at the expense of CITY.
5. In the event it is determined during construction that a change in the Scope of Work is required, STATE shall request approval from CITY before proceeding, except where construction delays will result in substantial additional extra cost or in an emergency endangering life or property.
6. As to any liability claims where it is alleged that the parties hereto may be joint tort-feasor, the parties agree that they will contribute to any settlement or judgment in the amount that is proportionate to the relative degree of fault of the respective parties, as agreed to between them or as adjudicated by a court of competent jurisdiction. Nothing herein shall restrict or impair any right of indemnity granted to either party by any other provision of this Agreement.

7. This Agreement is subject to the budgetary limitations set forth in Arizona Revised Statutes 28-1823 through 28-1826 inclusive and is further subject to the provisions of Chapter 1 of the Title 35, Arizona Revised Statutes.

8. CITY hereby agrees to comply with Executive Order 75-5, issued April 28, 1975, the provisions of which are herein incorporated by reference and made a part of this Agreement.

9. The parties agree to use arbitration after exhausting applicable administrative reviews, to resolve disputes arising out of this Agreement where the sole relief sought is monetary damages of \$100,000, or less, exclusive of interest and costs.

10. ALL parties hereby are put on notice that this Agreement is subject to cancellation by the Governor pursuant to A.R.S. Subsection 38-511, the provisions of which are incorporated herein by reference only.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first herein above written.

ARIZONA DEPARTMENT
OF TRANSPORTATION

CHARLES L. MILLER
Director

Gary K. Robinson

GARY K. ROBINSON
Chief Deputy State Engineer

Recommended by:

R. Simeon

Rolando M. Simeon
Corridor Engineer
Urban Highway Section

CITY OF GLENDALE

By: Martin Hanusow

Title: CITY MANAGER

ATTEST:

J. Ergens Schm
City Clerk

APPROVED AND FORWARDED:

Peter Van Haren
Peter Van Haren
City Attorney

Approved 3/13/90

CITY OF GLENDALE, ARIZONA

CC NO.: 16 - 261

1989/90

COUNCIL COMMUNICATION

DATE: 3/13/90

TO: Honorable Mayor and Council

FROM: City Manager

SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR OUTER LOOP HIGHWAY UTILITIES RELOCATIONS: 59TH TO 75TH AVENUES

SUMMARY

This is a request for approval of an Intergovernmental Agreement between the City of Glendale and the Arizona Department of Transportation (ADOT) for relocation of water and sewer lines along the Outer Loop Highway (Beardsley Road alignment) between 59th and 75th Avenues.

The work is needed due to impending construction of the Outer Loop Highway. The Outer Loop will be depressed in this area, and therefore some relocation of existing buried water and sewer pipelines is required. This IGA provides for the work to be performed by ADOT, and after they are installed and accepted, the relocated lines will be turned over to the City for operation and maintenance.

The City is considered to have prior rights for the utilities to be relocated, and as a consequence, there will be no cost to the City of Glendale for relocation of the water and sewer lines in the area covered by the IGA.

SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR OUTER
LOOP HIGHWAY UTILITIES RELOCATIONS:
59TH TO 75TH AVENUES

PAGE NO. 2

CC NO.: 16 - 261

DATE 3/13/90

RECOMMENDATION

Waive reading beyond the title and adopt the attached resolution which authorizes the City Manager to sign any and all documentation relating to this request.


Martin Vanacour
Martin Vanacour, City Manager

**OUTER LOOP UTILITIES RELOCATIONS:
59th - 75th AVENUES**

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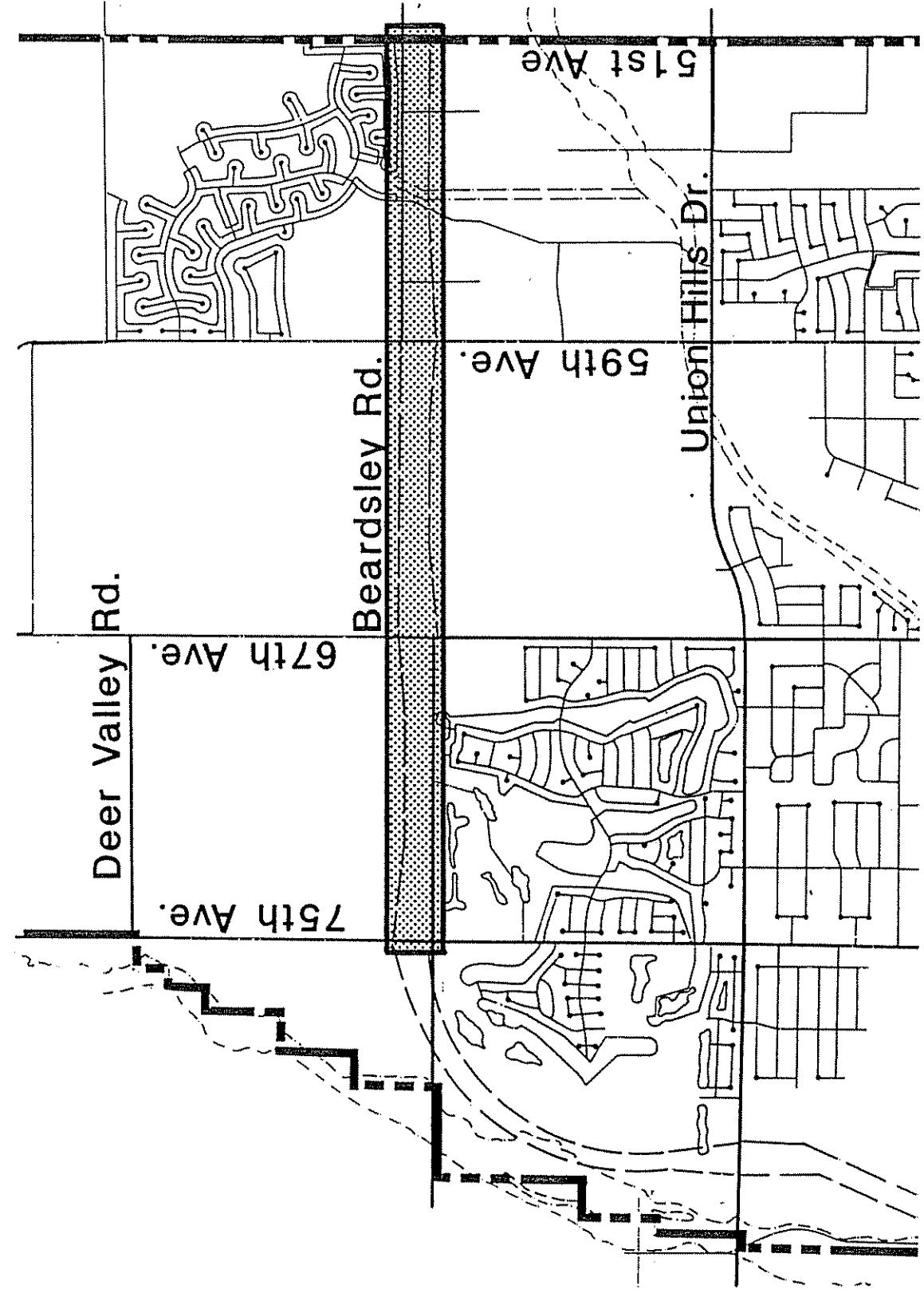


EXHIBIT A

STATE	PRACTICE INC.	PRACTIC AL VAL.	TOTAL VAL.	AS WEL
NY	ABTZ	NAME AND ADDRESS	10	39

SOCIETY OF ARIZONA

DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION

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- TEMPORARY CONSTRUCTION EASEMENT
- NOT IN CONTACT
- MIC
- NOTICE

0524200, 6XCOVERU.DCN
7-ALG-1989 3106

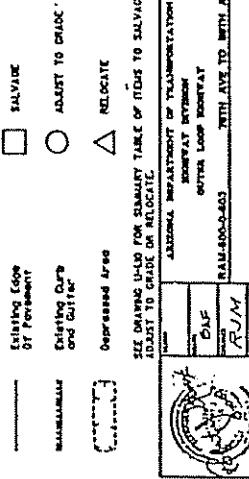
ABSTRACTS - UNIT

ASBESTOS CEMENT PIPE	—	—
ATLANTA PUBLIC UTILITY SERVICE	—	—
BURIED CABLE (TELEPHONE)	—	—
UNDERGROUND CABLE TELEVISION	—	—
CONCRETE CITY UNDER PIPE	—	—
CITY OF GLENCOE	—	—
DUCTILE IRON PIPE	—	—
UNDERRAIL ELECTRIC FACILITY	—	—
RECLAIMED WATER FOR IRRIGATION	—	—
HIGH PRESSURE	—	—
HYDRANT	—	—

- JOINT RESTRAINED PORTULE FROM PIPE	- LIGHT POLE	- NATIONAL ASSOCIATION OF GOVERNMENT	- HIGH RISING STEM (VALVE)	- PRESTRESSED CONCRETE CYLINDER PIPE	- POLYTHENE LINE	- POWER POLE	- PVC/INTL. CHLORINE (PIPE)	- STORM DRAIN	- SANITARY SEWER MANHOLE	- SPRINKLER CONTROL BOX	- SOUTHEAST GAS	- TAMBOROGANO	- US WEST COMMUNICATIONS TELEPHONE	- WEAVER INDUSTRIES
- JLT	- JLT	- JMAO	- JMAS	- JPCP	- JPOLY	- JPP	- JPYC	- JSD	- JSEA BACK	- JSPW	- JTG	- JWEA	- JWEA WEST	- JWEA
- JLT P	- JLT P	- JMAO	- JMAS	- JPCP	- JPOLY	- JPP	- JPYC	- JSD	- JSEA BACK	- JSPW	- JTG	- JWEA	- JWEA WEST	- JWEA
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- JMAO	- JMAO	- JMAS	- JMAS	- JPCP	- JPOLY	- JPP	- JPYC	- JSD	- JSEA BACK	- JSPW	- JTG	- JWEA	- JWEA WEST	- JWEA
- JMAS	- JMAS	- JMAS	- JMAS	- JPCP	- JPOLY	- JPP	- JPYC	- JSD	- JSEA BACK	- JSPW	- JTG	- JWEA	- JWEA WEST	- JWEA
- JWEA	- JWEA	- JWEA	- JWEA	- JPCP	- JPOLY	- JPP	- JPYC	- JSD	- JSEA BACK	- JSPW	- JTG	- JWEA	- JWEA WEST	- JWEA
- JWEA	- JWEA	- JWEA	- JWEA	- JPCP	- JPOLY	- JPP	- JPYC	- JSD	- JSEA BACK	- JSPW	- JTG	- JWEA	- JWEA WEST	- JWEA

SEPTA BOX	SANITARY SEWER MILEAGE
SWING	SOUTHWEST GAS
U/A	UNDERGROUND
US WEST	US WEST COMMUNICATIONS / TELEPHONE
	WATER MAINS &

UTILITY PLANS LEGEND



GENERAL NOTES

All utility relocations have been designed in accordance with the provisions of policy or accommodations of utilities within Outer Loop Highway Right-of-Way, for Right-of-Way information not shown, see "Right-of-Way" Product No EPA-070-0-704. Existing utilities are shown in approximate location only and are subject to field verification by the contractor.

GENERAL NOTES

ALL UTILITY RELOCATIONS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE PROVISIONS OF POLICY OR ALLOCATION AGREEMENTS OR UTILITIES WITHIN OUTER LOOP HIGHWAY RIGHT-OF-WAY, FOR RIGHT-OF-WAY INFORMATION NOT SHOWN, SEE "RIGHT-OF-WAY PROJECT" NO BPN-060-0-101.

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EXHIBIT 'A'

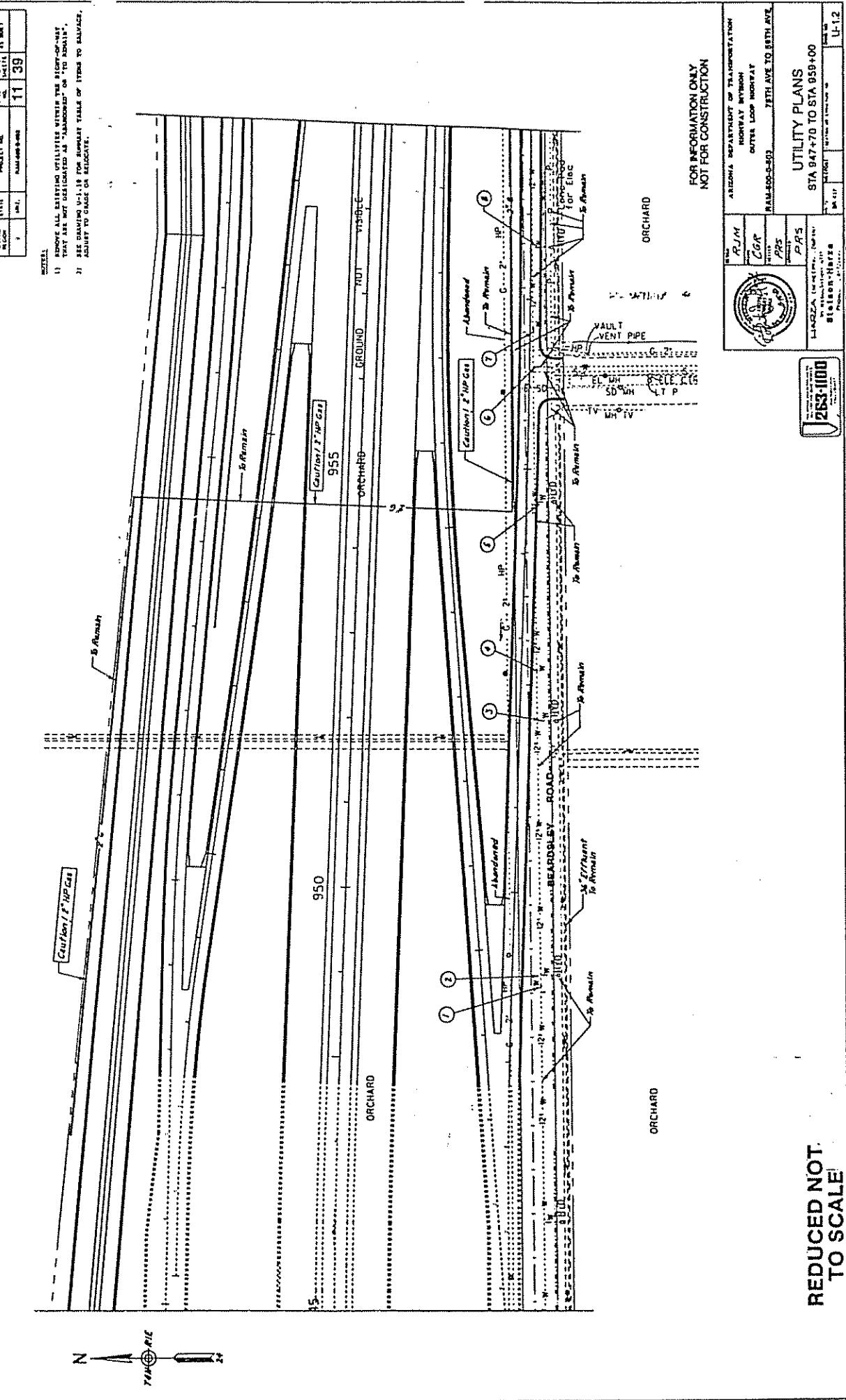
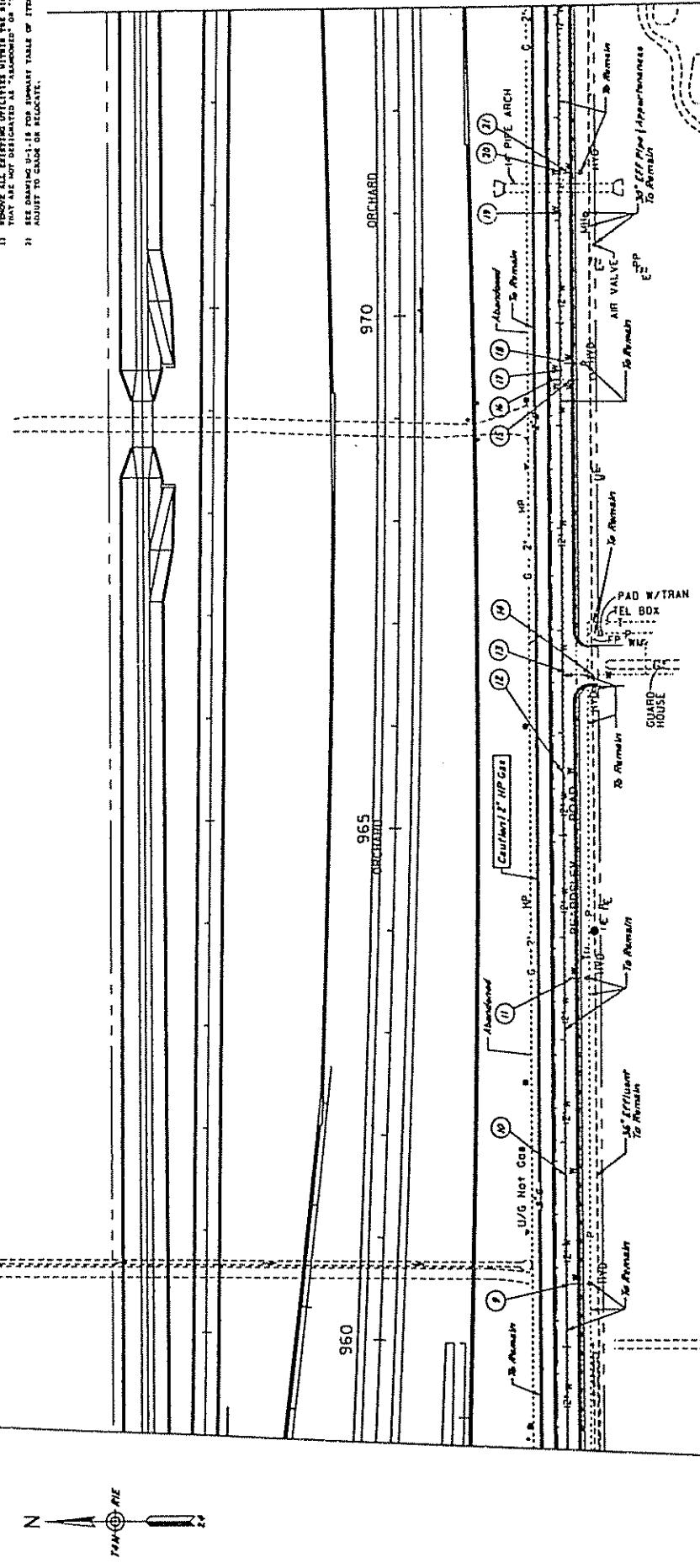


EXHIBIT A

NAME	TYPE	WEIGHT	SIZE	PRICE
John	Adult	150 lbs	5 ft 6 in	\$12.00
Jane	Adult	140 lbs	5 ft 3 in	\$10.00

1) REMOVE ALL EXISTING OFFICERS WITHIN THE SIGHT-OF-MAT
THAT ARE NOT DESIGNATED AS "ABANDONED" OR "TU RETAINS".
SEE DRAWING U-118 FOR SUMMARY TABLE OF ITEMS TO SALVAGE,
ADJUST TO CHARGE OR RELOCATE.



**NOT FOR CONSTRUCTION
FOR INFORMATION ONLY**



263-1100

ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION
CENTRAL LOCAL HIGHWAY

UTILITY PLANS

6 STA 8559+00 10 STA 9733+00

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TO SCALE

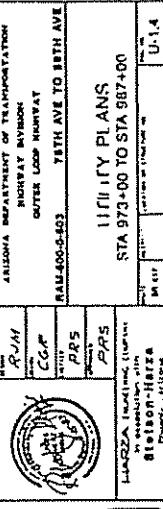
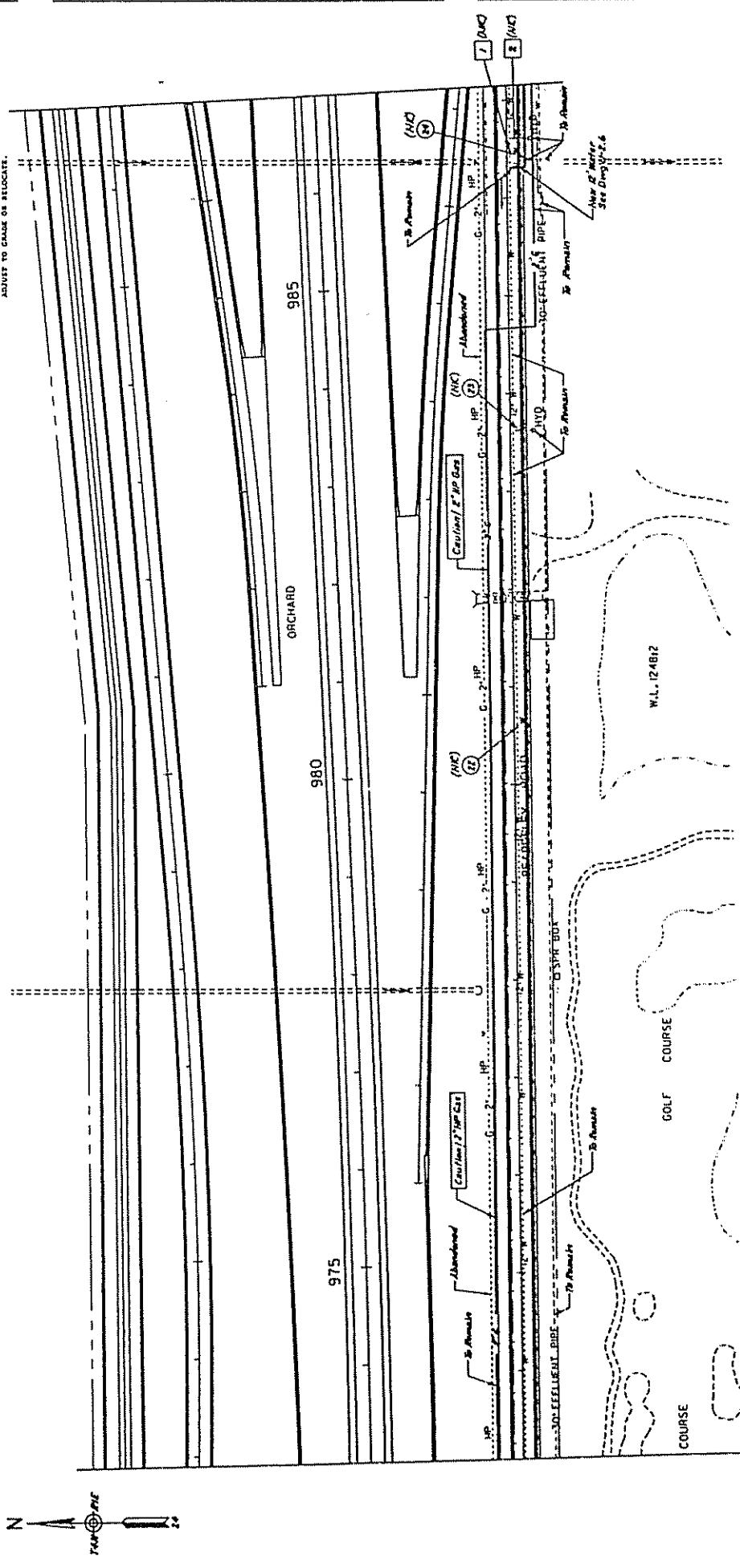
EXHIBIT A

FIG. 11. SEE DRAWING V-1.15 FOR SUMMARY TABLE OF TYPES TO FOLLOW.

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STATE	STATE IN LAKHS	PERCENTAGE IN LAKHS	TOTAL IN LAKHS	PERCENTAGE IN LAKHS
3	614	10.44	13	39

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EXHIBIT A

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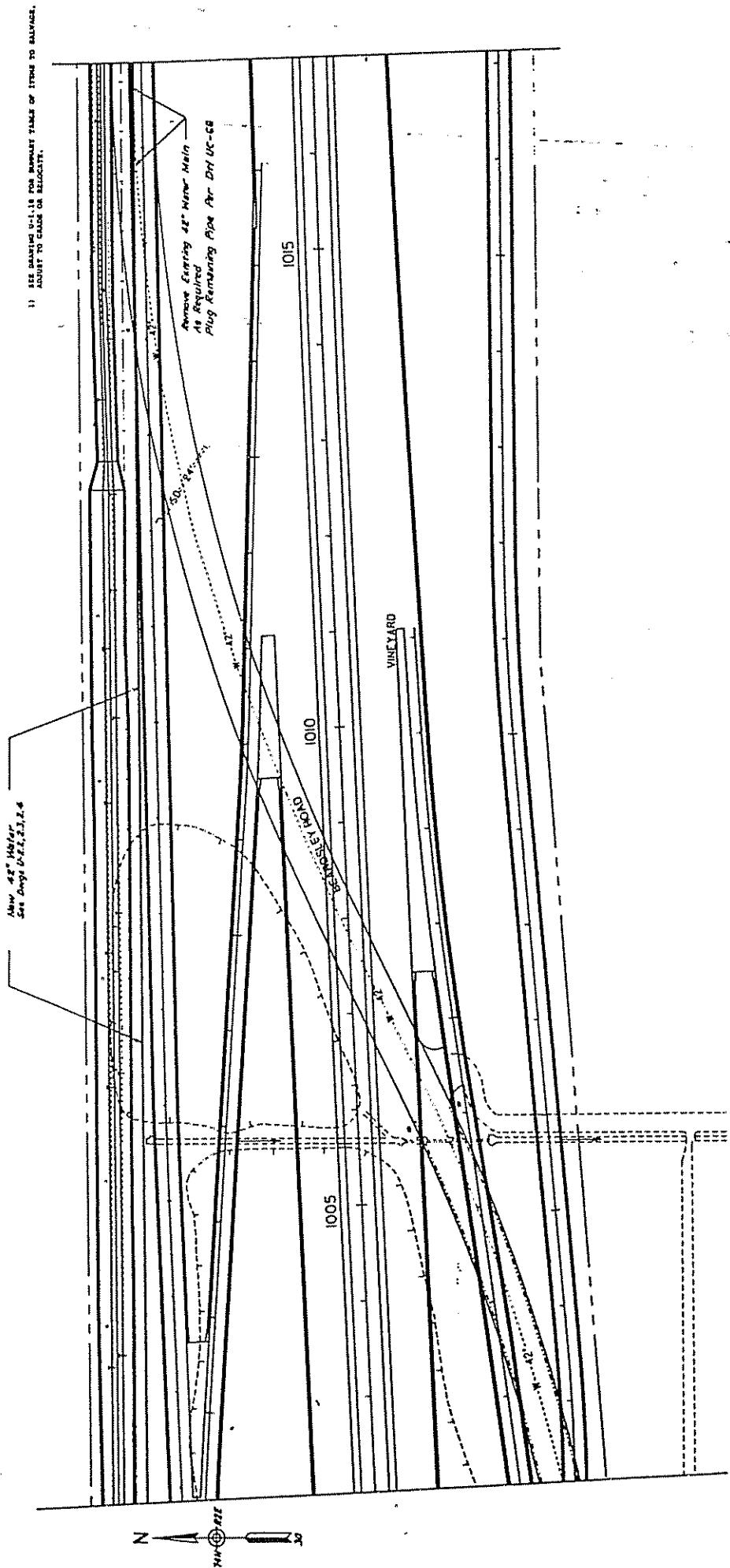
Age	Mean	SD	N
11-12 years	11.5	1.1	10
13-14 years	13.5	1.1	10
15-16 years	15.5	1.1	10
17-18 years	17.5	1.1	10
Total	14.5	1.1	40

THE DETERMINATION OF THE BINARY TABLE OF ITEMS TO SET.

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EXHIBIT 'A'



PLAN LEVEL	PROJECT NO.	WEST END	WEST END	14 MIL
END	END	END	END	
+	U-16	1000-000-000	15	39

NOTES:

1) SEE DRAWING U-11 FOR BOUNDARY FEET OF LINES TO SALVAGE
ADJUST TO Grade OR Salvage.

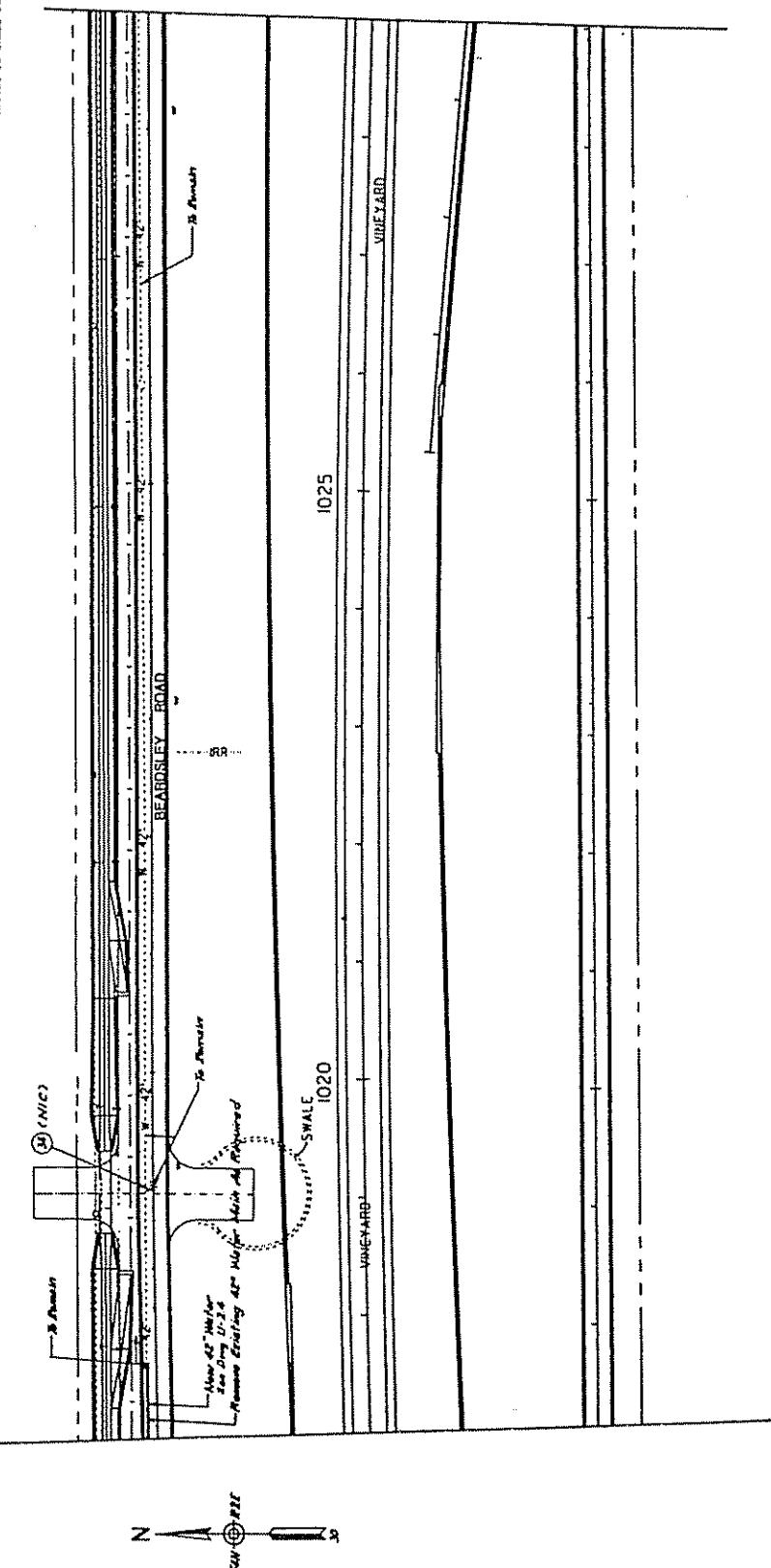
PLANS	ARIZONA DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION OUTER LOOP HIGHWAY AT RAMP 0-03 78TH AVE TO 88TH AVE
CORP	
PADS	
PRS	
ARIZONA HIGHWAY COMPANY GENERAL CONTRACTORS P.O. BOX 10000 PHOENIX, ARIZONA 85067 TELEGRAM ADDRESS: PHOENIX 1-1000	
263-1000	DATE NO. 1000
	U-16

REDUCED NOT
TO SCALE

EXHIBIT A

PERCENT DEFECTIVE	NUMBER OF TESTS	NUMBER OF DEFECTS	DEFECT RATE	DEFECT RATE
0	1000	0	0.0%	0.0%
1	1000	10	1.0%	1.0%

11 DEC DEPARTS 9-11. 11 DEC STAYING OVERNIGHT OR RETURN TO SAILORS
HOME TO CHASE THE RETICULANT.



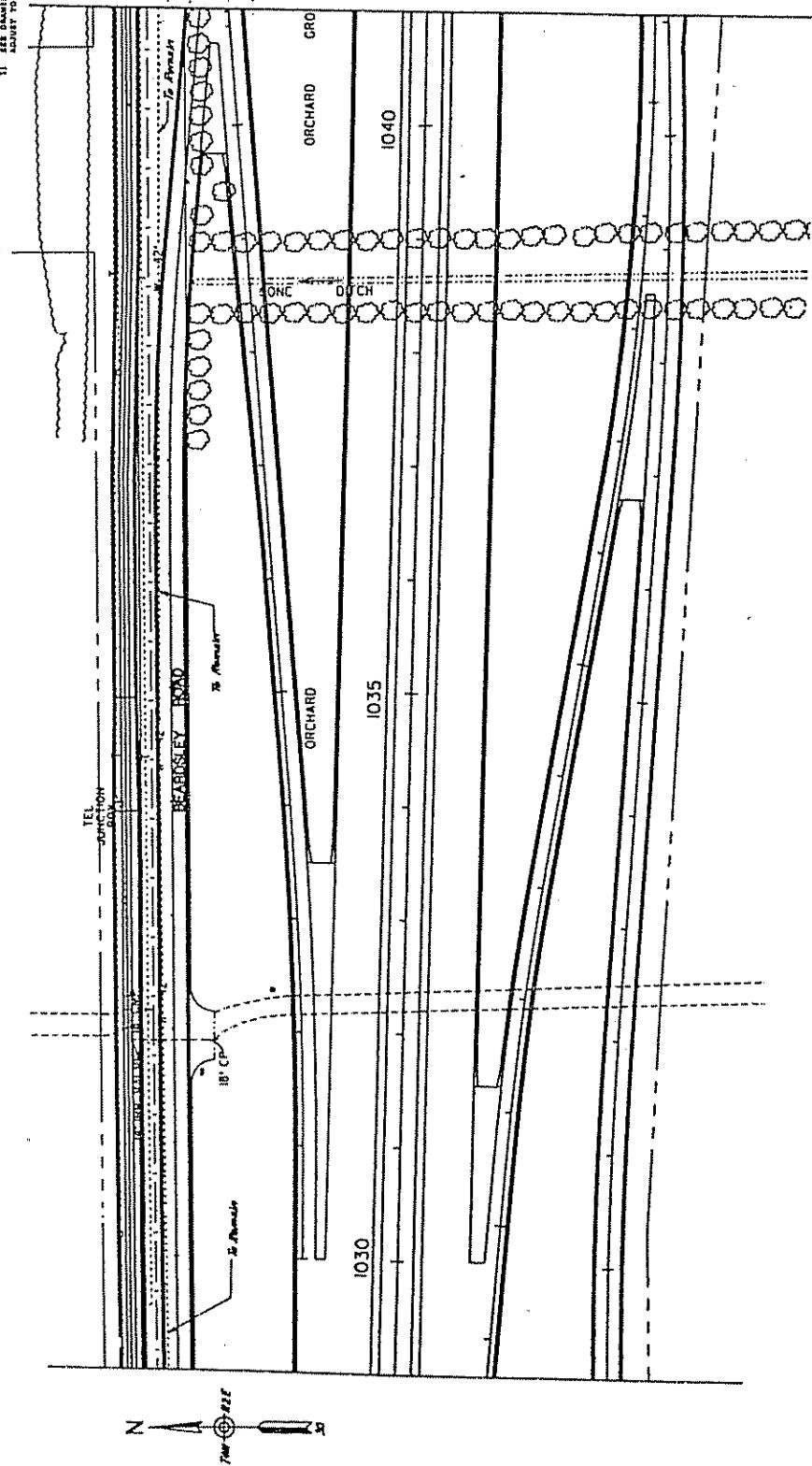
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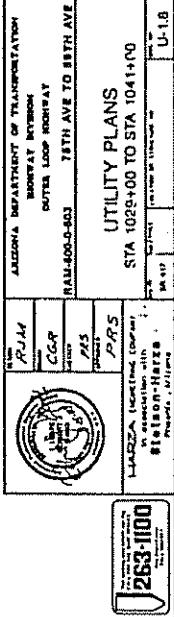
EXHIBIT A

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TYPE NATION	STATE	PROVINCE OR TERRITORY	SOURCE NAME	NUMBER SHEETS	PER SHEET
U.S.	None	None	None	17	39



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TO SCALE



263-1100

EXHIBIT A

RECORDED AND INDEXED ON COMPUTER BY STAFF OF THE LIBRARY
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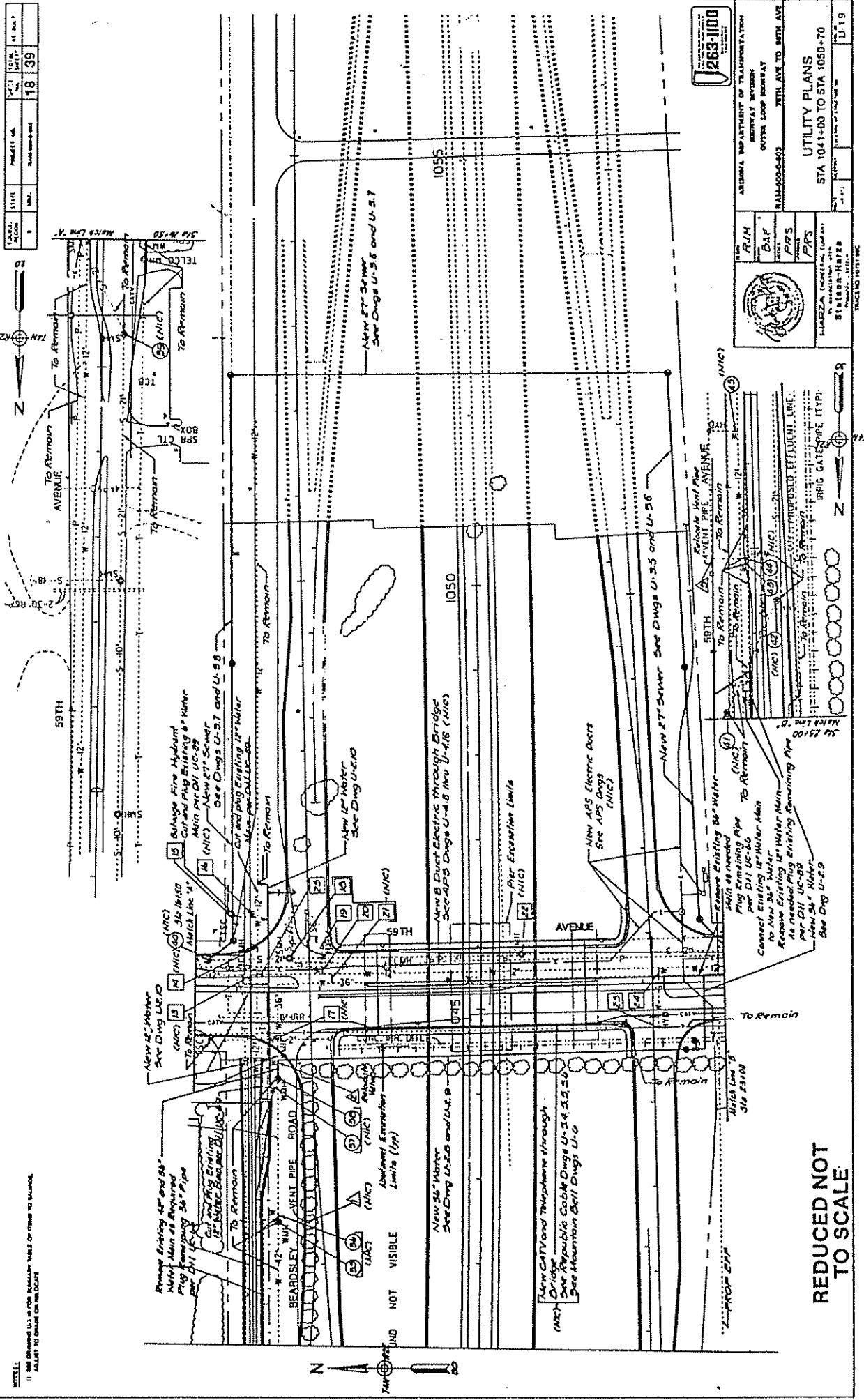


EXHIBIT 'A'

EXHIBIT A

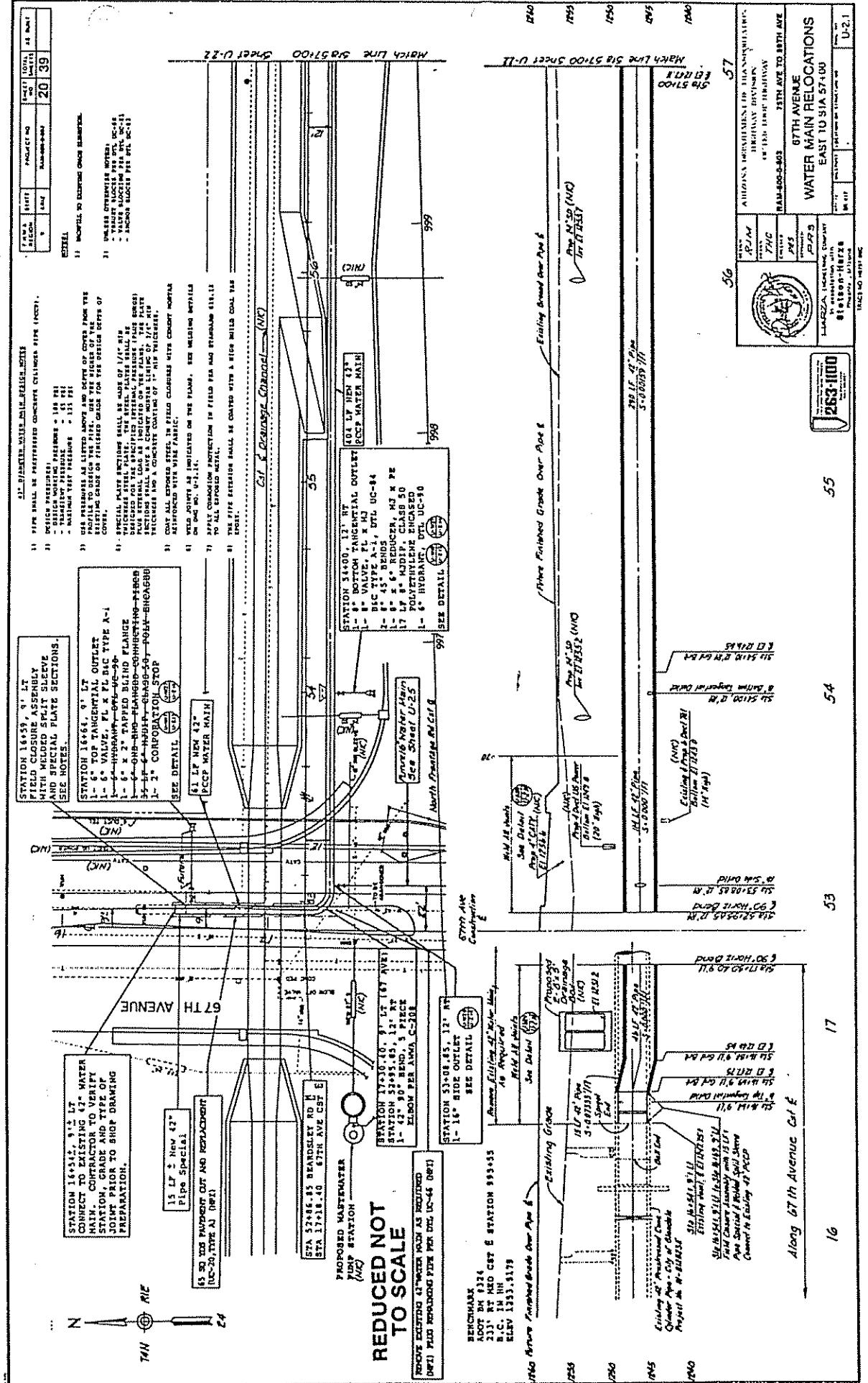


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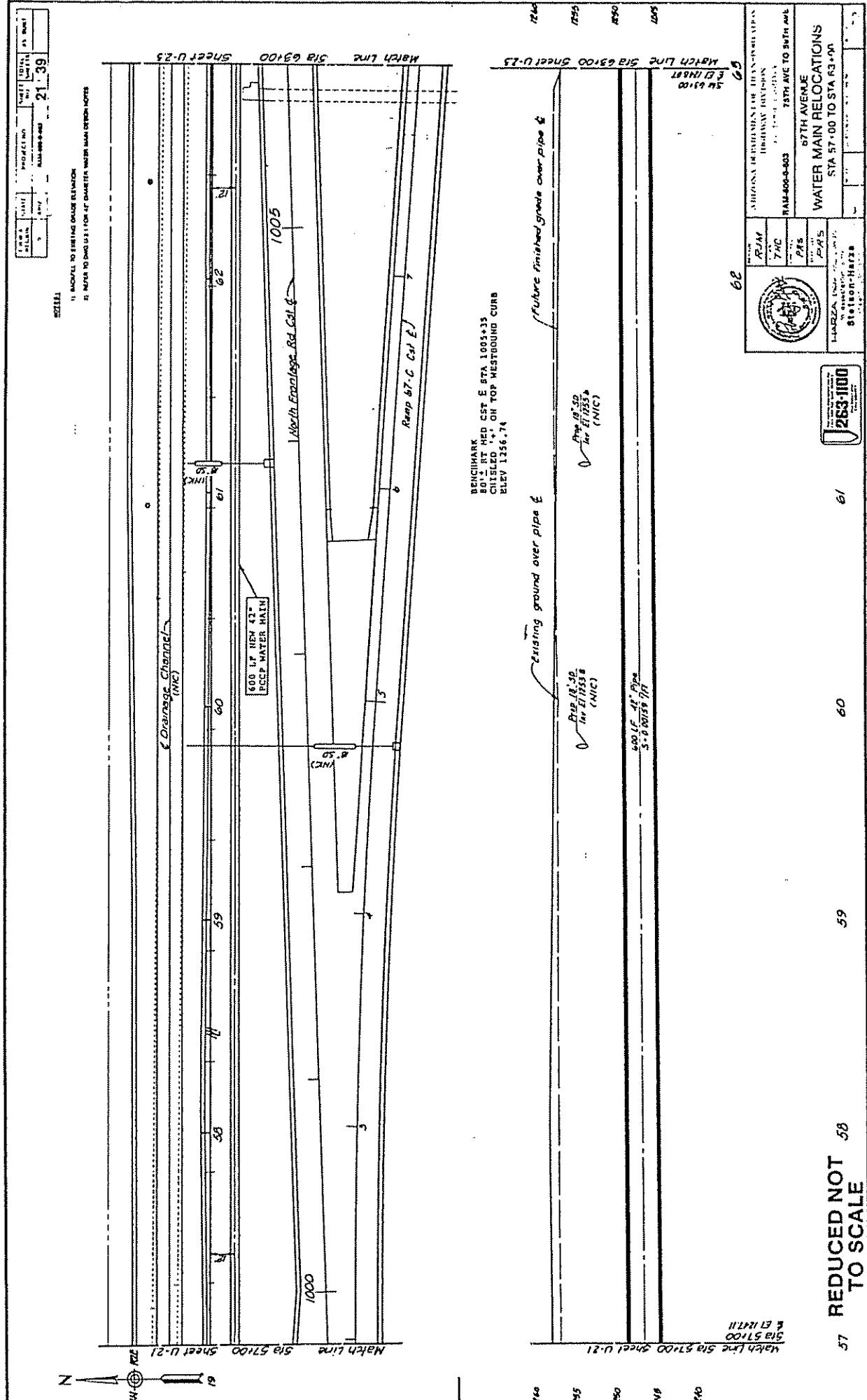


EXHIBIT A

NAME	STAGE	WEEKS	PERIOD	AS HOURS
John	Stage 1	2	8 AM - 12 PM	22
John	Stage 2	2	12 PM - 4 PM	39

115 SLOPES TO BE HAVING GRADE ELEVATION EXCEPT AS NOTED.
116 REFER TO DRAW U-21 FOR 4'-0" DIAMETER WATER MAIN CROSS SECTION.

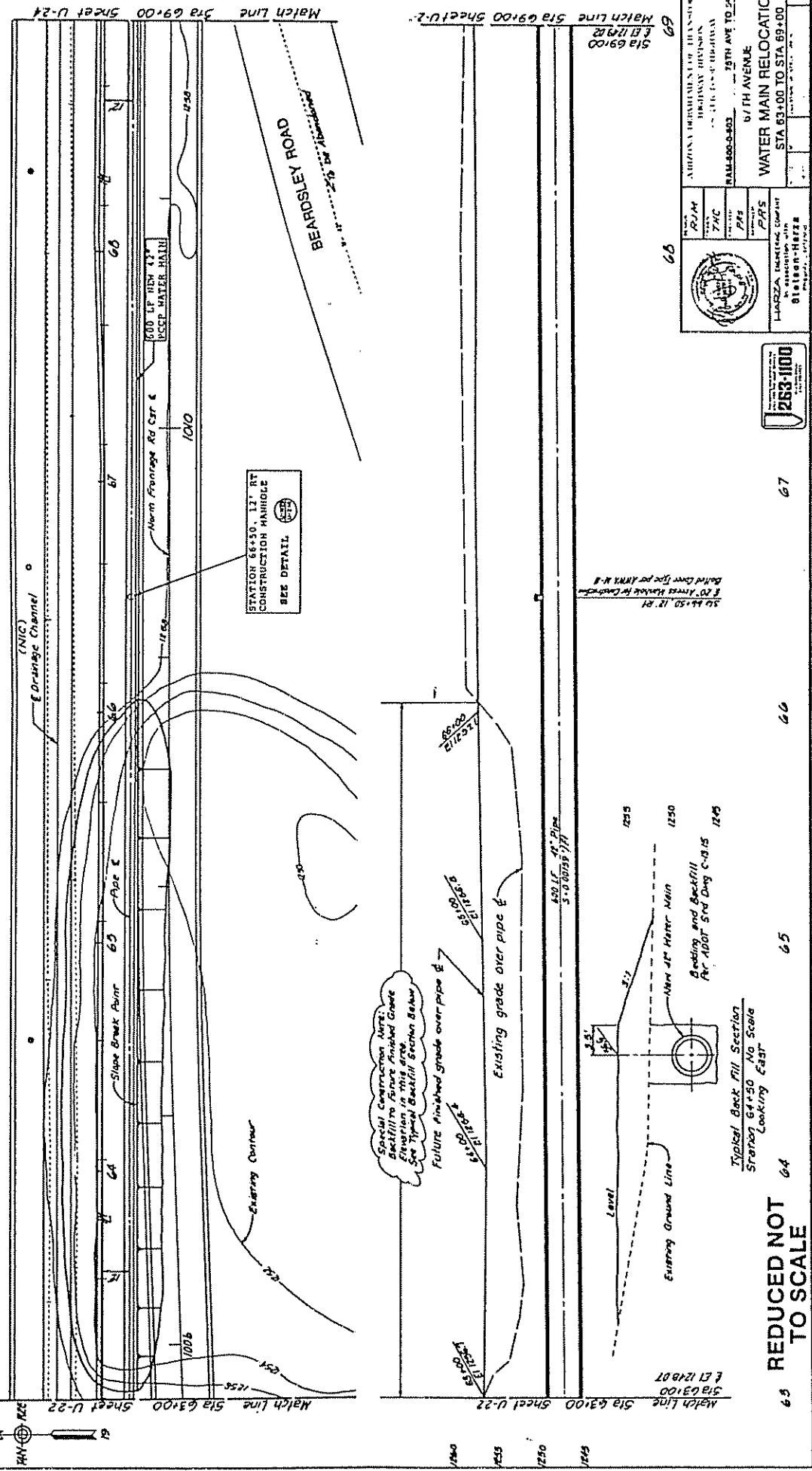


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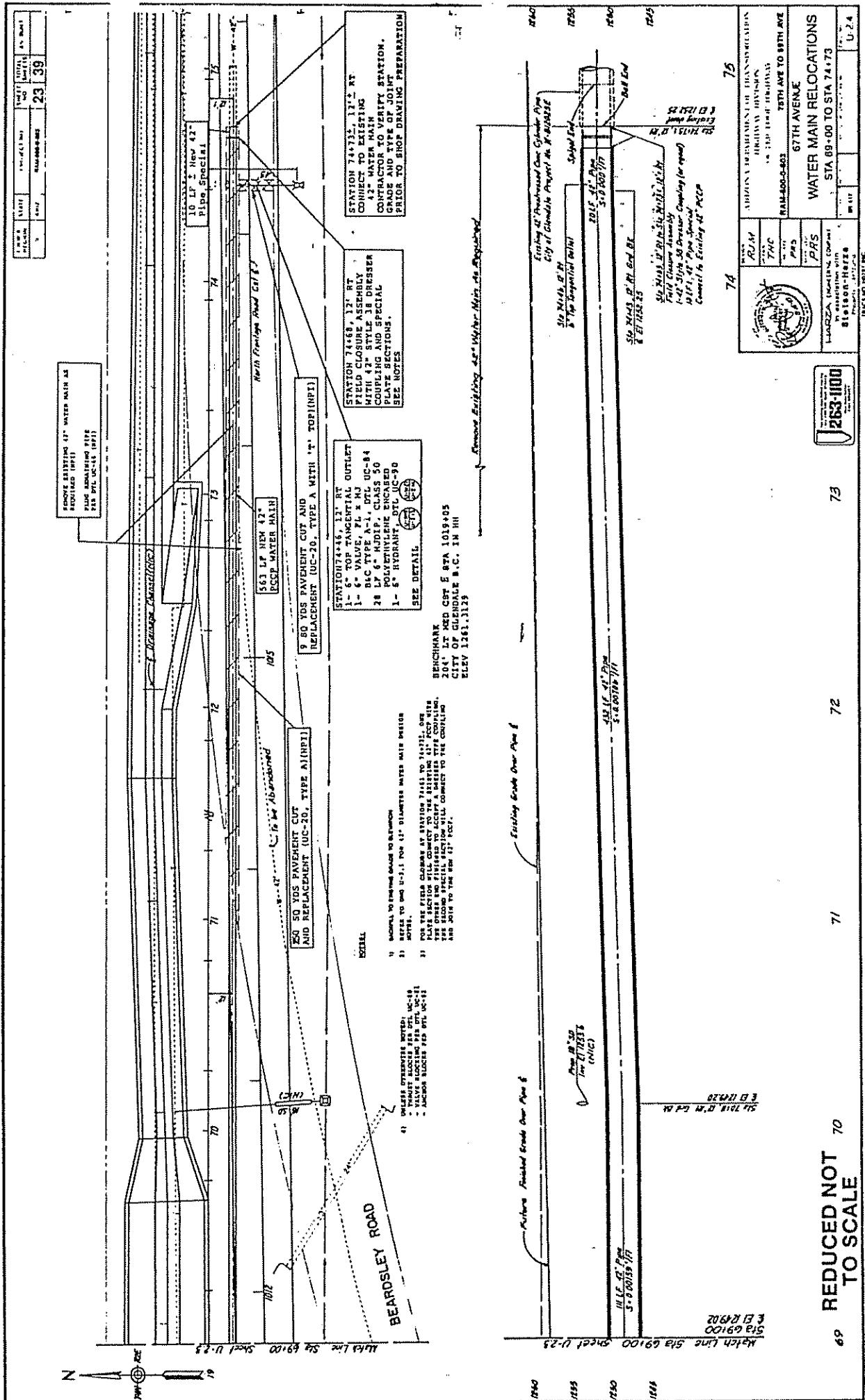


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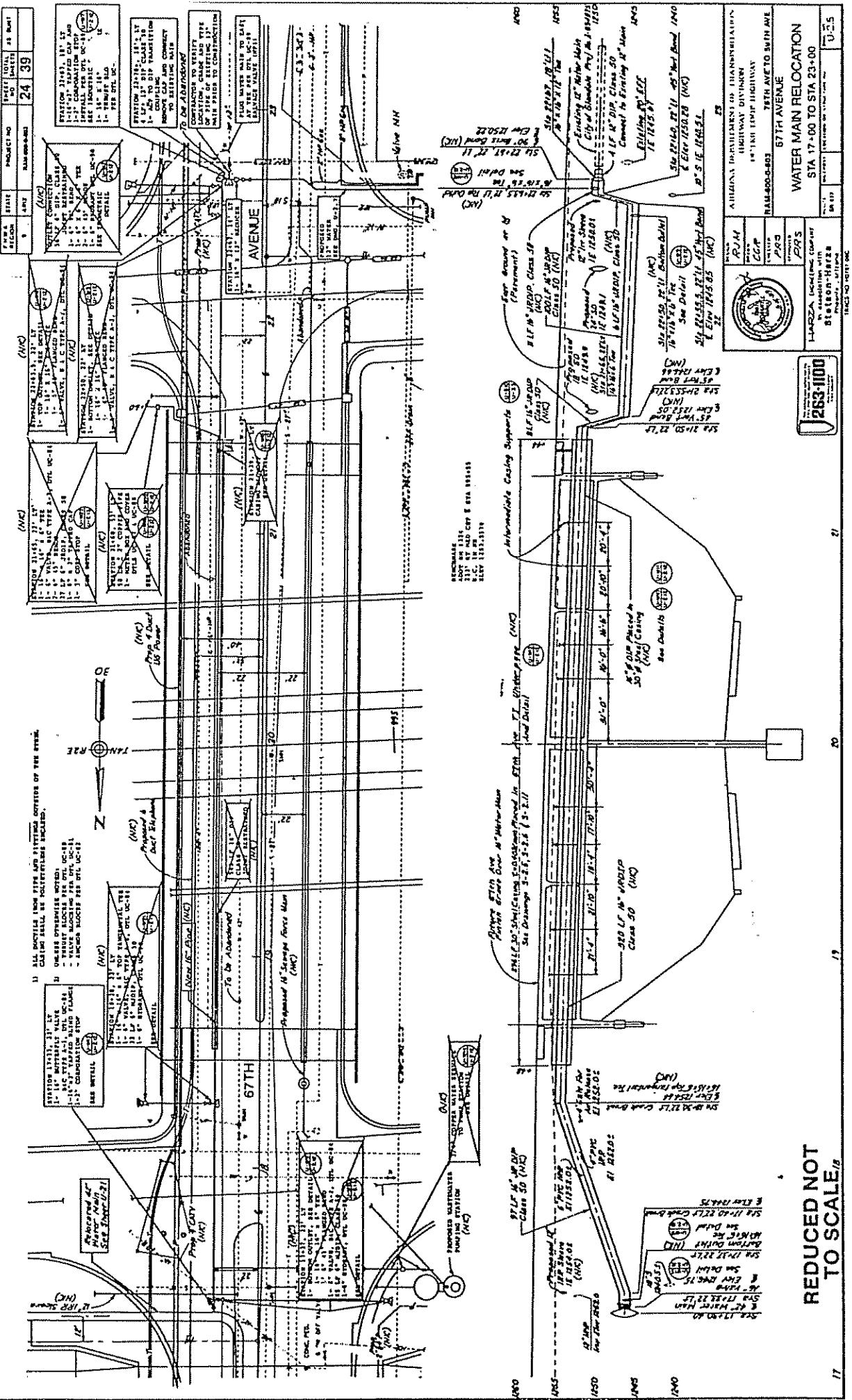


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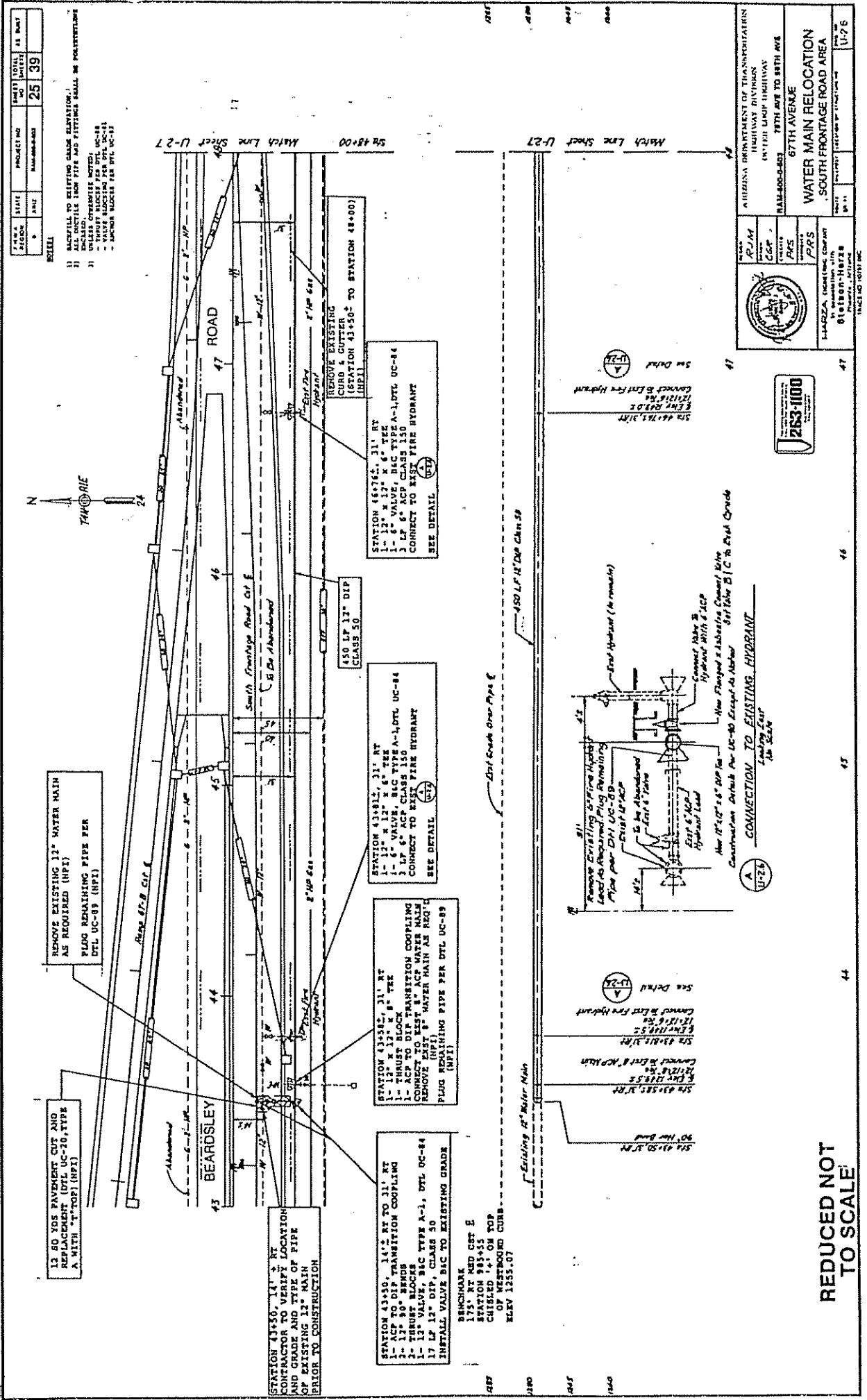


EXHIBIT A

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- FACTORY NO SHIFTING GAGE ELEVATION.**
INSTALL NEW VALVE SET TO EXISTING DRAINS.
ALL DRAINS FROM PIPES AND FITTINGS SHALL BE POLISHED
SHEDDERS.
UNLESS OTHERWISE NOTED:
- TRUITY BLOCK PER OTL OC-100
- VALVE SLEEVING PER OTL OC-43
- ANCHOR BLOCKS PER OTL OC-43

NAME & SECTOR	PROJECT ID	BUDGET IN RS.	NET BUDGET	TOTAL BUDGET	AS BUDGET
S SMC	SMC-003	26	39		

STA 31+86.85
B2BROSLEY RD N.
STA 22+11.06
67TH AVE CCR Q.

PROPOSED 16" WATER MAIN
(NIC)

A schematic diagram showing a vertical pipe on the left and a horizontal pipe branching off from it at the top. The horizontal pipe has a small rectangular valve or fitting attached to its side.

T

55 SQ YDS PAVEMENT
CUT AND REPLACEMENT

1001 ULC-20. TYPE A
 WITH "T" TOP[INPI]
 7TH AVE CST 6
 FA 22+67. 10. + LT
 - 12- VATIVE, BIC
 TYPE A-1 DEL HC-A

CONNECT TO 16" x 12"
RENUZIT
PAGE SHEET U-2.5

22

124

THE HISTORY OF TRANSLATION

**17TH AVENUE
HIGHWAY DIVISION
17TH LOOP HIGHWAY
74TH AVE TO 88TH AVE**

MAIN RELocation
FRONTAGE ROAD AREA

REduced Not To Scale

BEARDSLEY

SECTION

WATER LINE

MARCH LINE

SHUT OFF DRAIN

52-00

49-1

48-00

47-00

46-00

45-00

44-00

43-00

42-00

41-00

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36-00

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ROAD

CAUTION: High Pressure

Abandon

To Be Abandoned

South Frontage Street E

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**REDUCED NOT
TO SCALE**

EXHIBIT A

**REDUCED NOT
TO SCALE**

REMOVE EXISTING 36" WATER
MAIN AS REQUIRED (NPI)
PLUG REMAINING PIPE PER
DTL UC-65 (NPI)

STA 22-46, 80, RT TO STA 23-61, 80, RT
 1- 36" BUTTERFLY VALVE, 8MM DIA.
 1- VALVE OPERATOR MANHOLE, 8MM DIA.
 1- ACCESS MANHOLE, 8MM DIA.
 1- TOP TANGENTIAL OUTLET
 1- BOTTOM TANGENTIAL OUTLET
 1- 8MM BEND PLATED CONNECTING PIECES
 1- 8MM BEND PLATED
 1- 8MM BOND 2" X 10' BONDS
 1- 8MM VALVE, SIC TYPE A-1, DTL UC-84
 1- 8MM HADIP CLASS 50
 1- POLYTHENE ENRICHED
 1- 8MM BOND
 1- 8MM VALVE, SIC TYPE A-1, DTL UC-84
 1- HADIP CLASS 50
 1- POLYTHENE ENRICHED

EXHIBIT 'A'

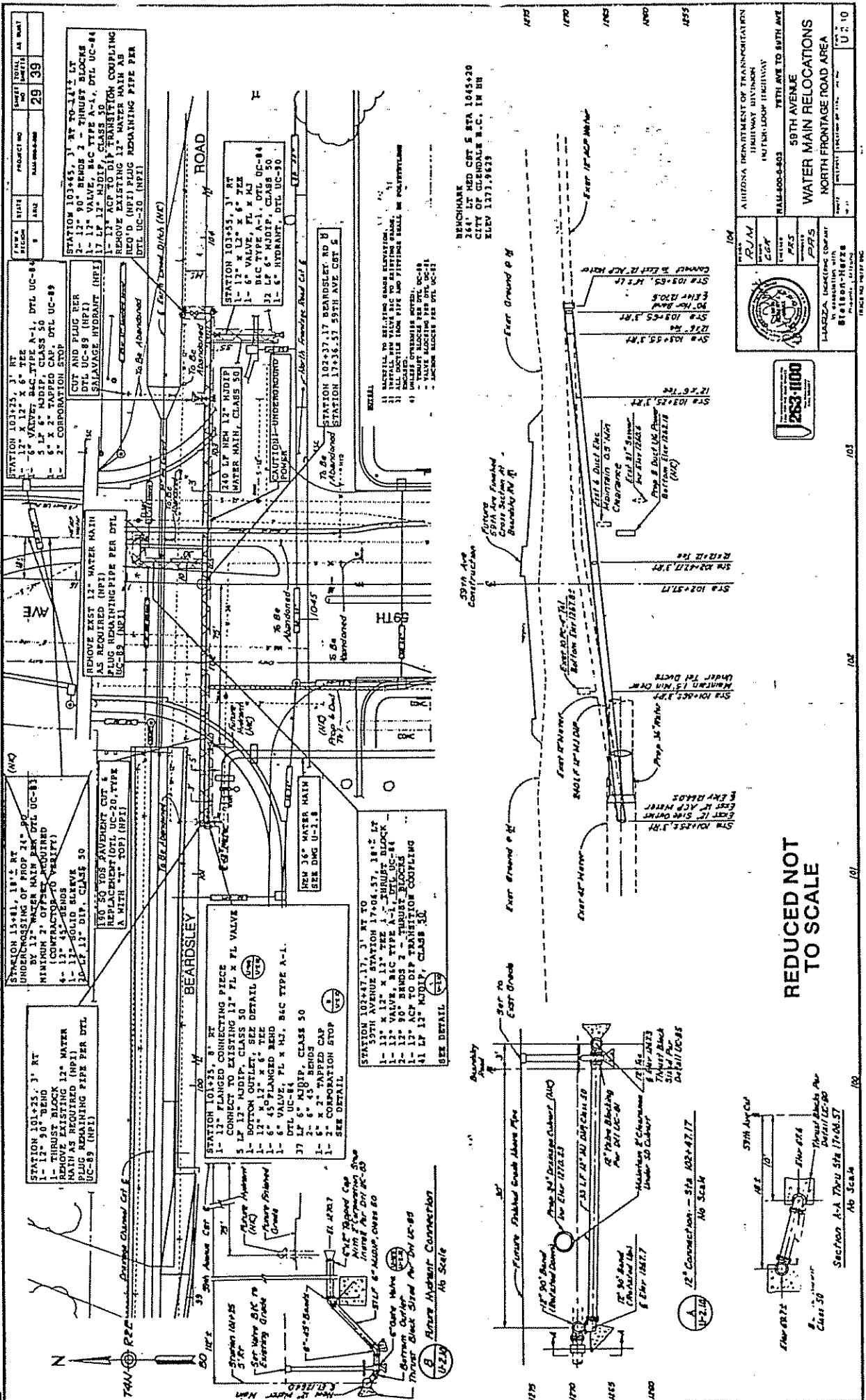


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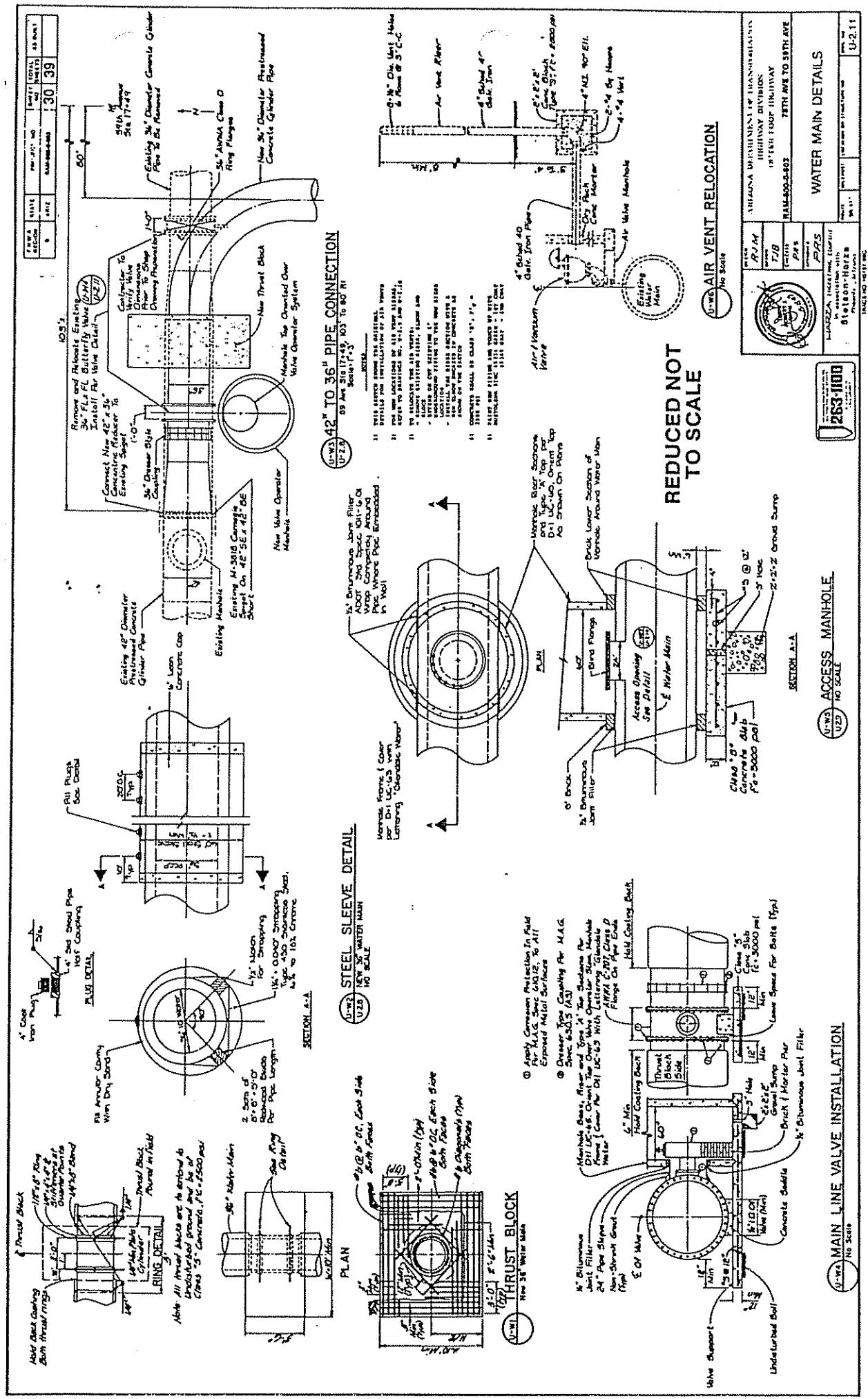


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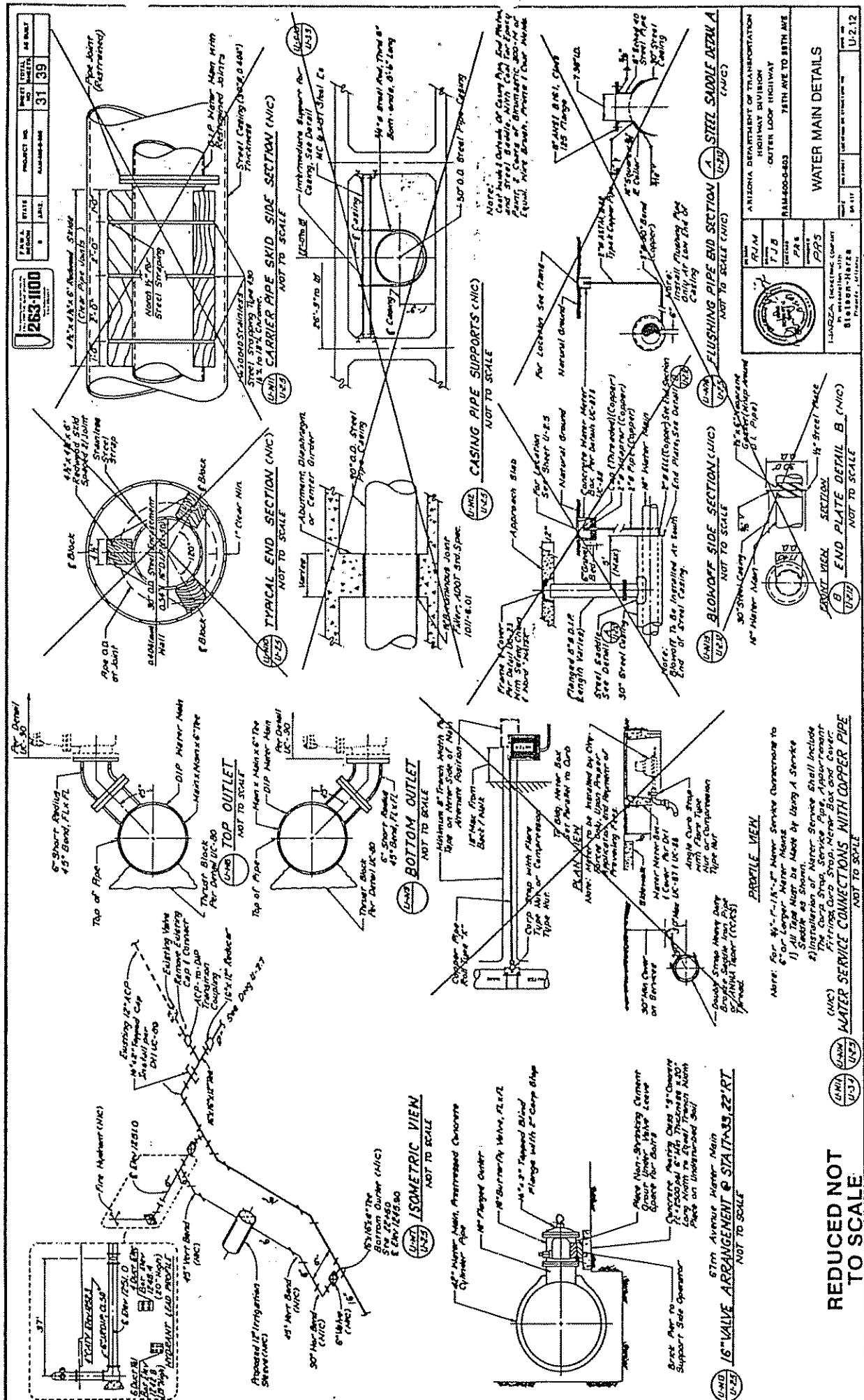


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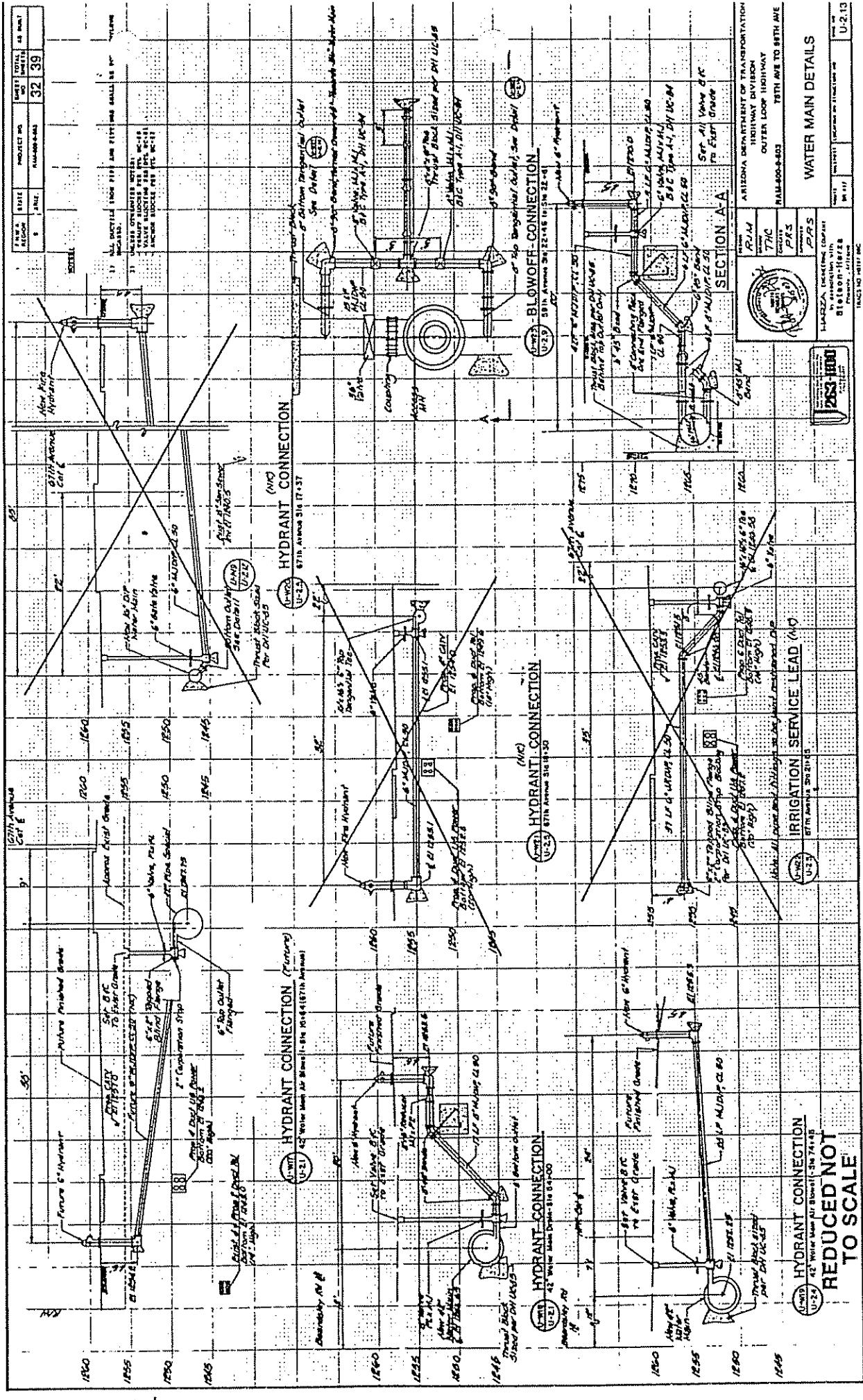


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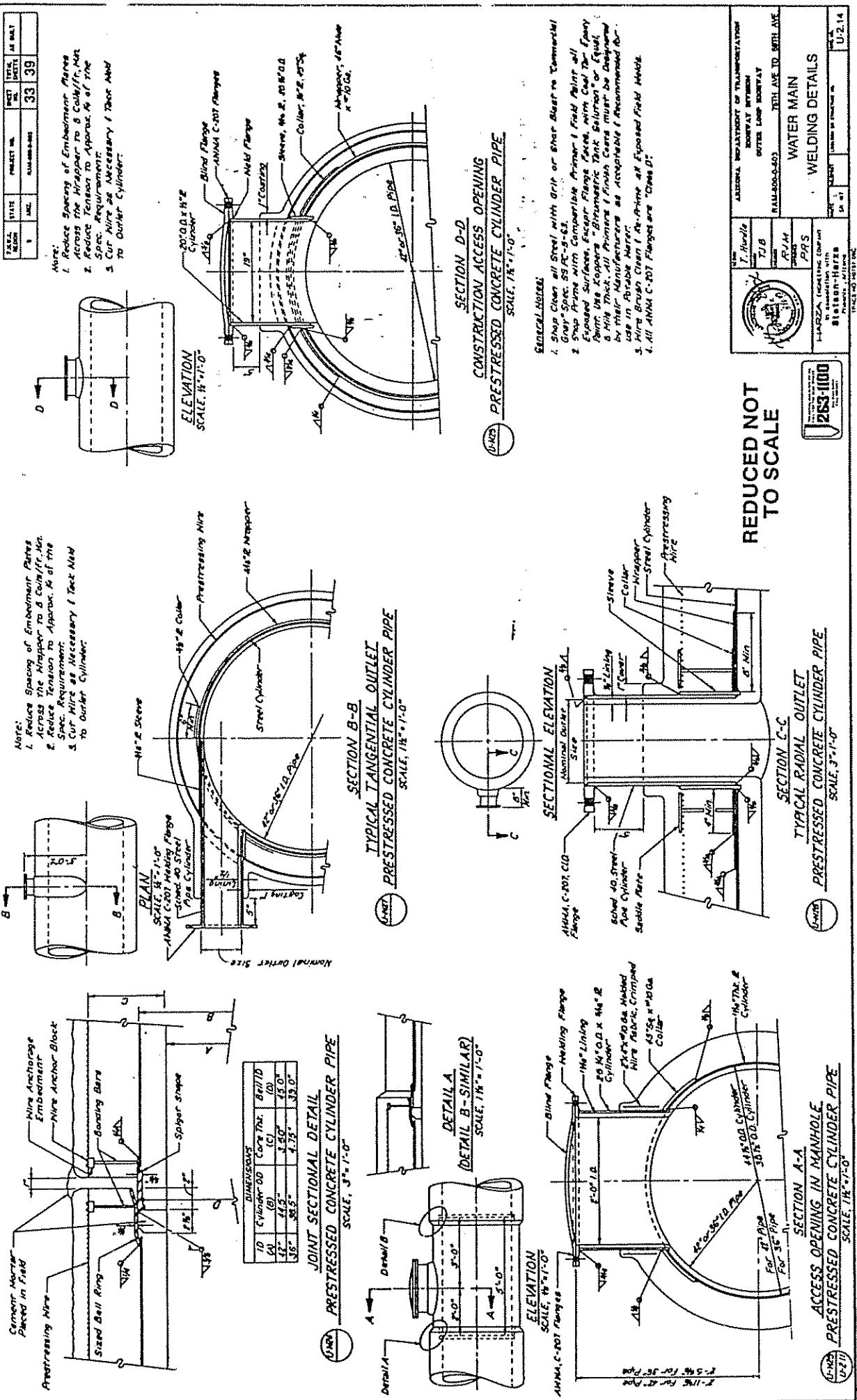


EXHIBIT A

EXHIBIT A

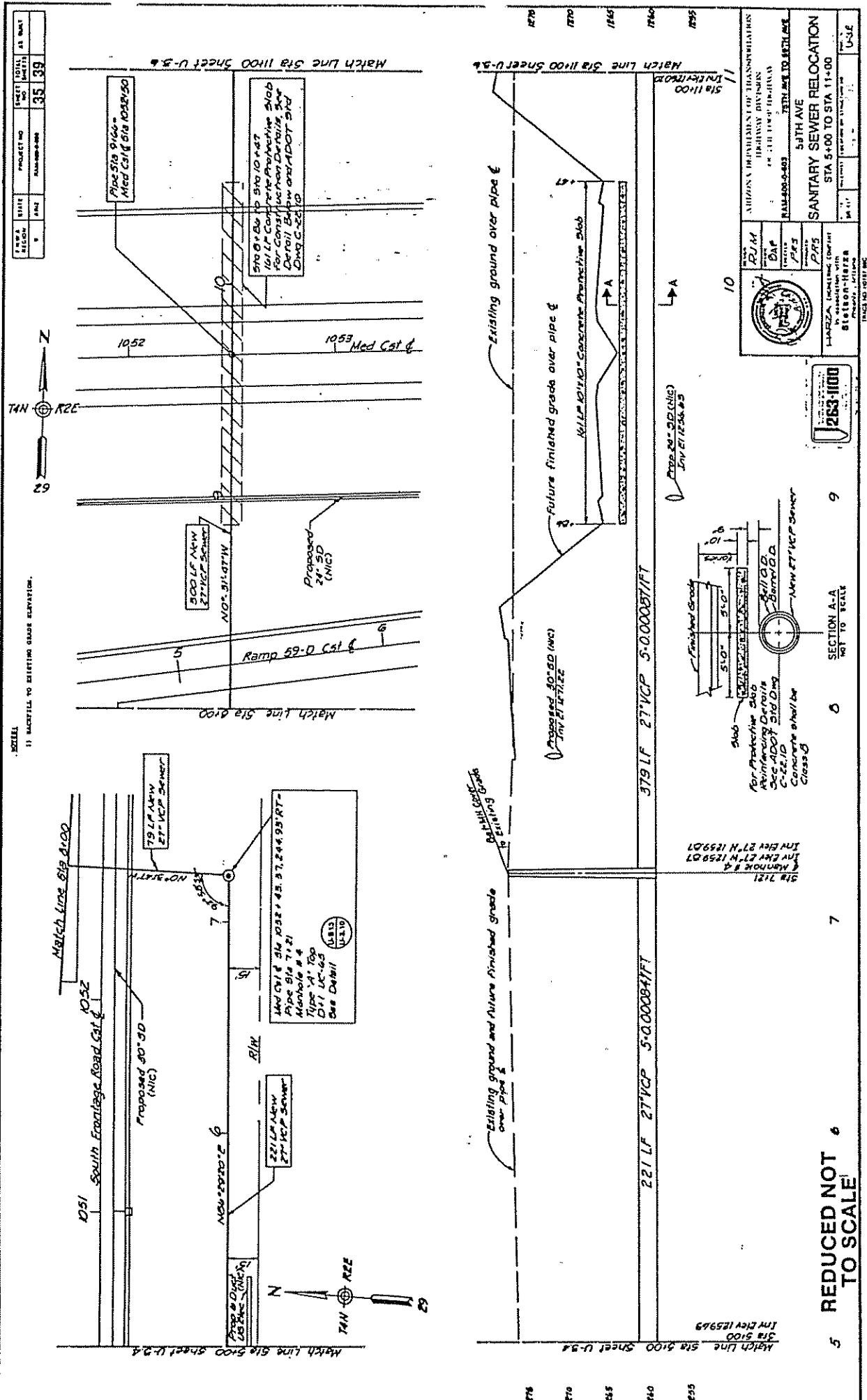
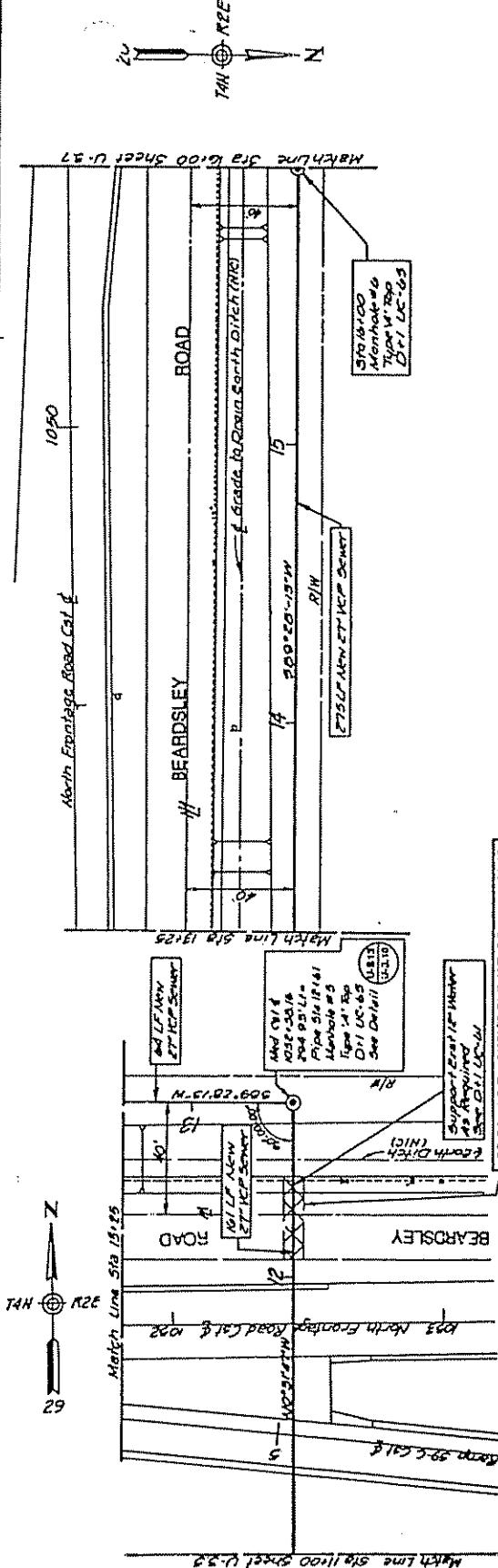


EXHIBIT A

11. *Methodology for estimating urban elevation.*



REDUCED NOT
TO SCALE //

EXHIBIT 'A'

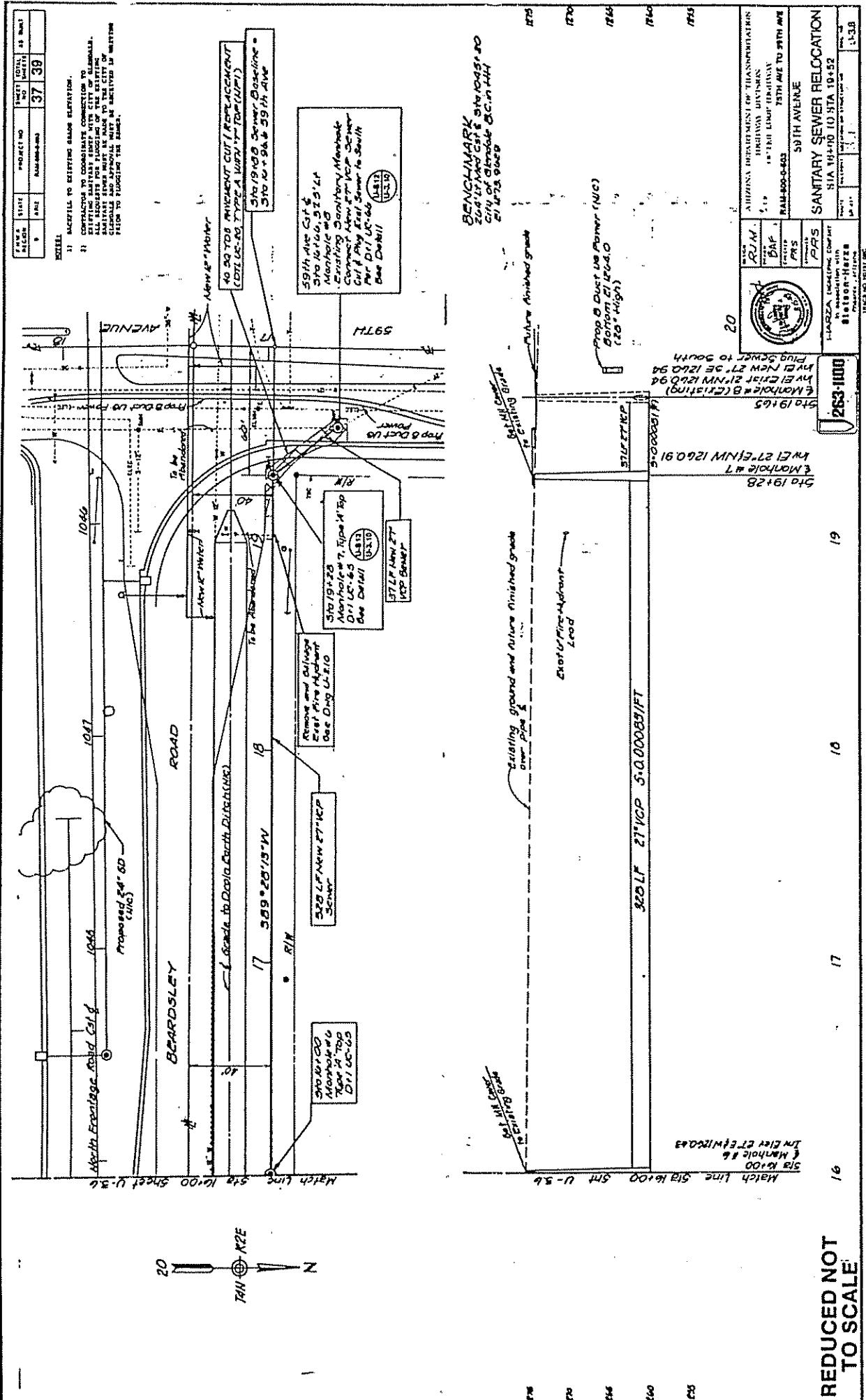


EXHIBIT A

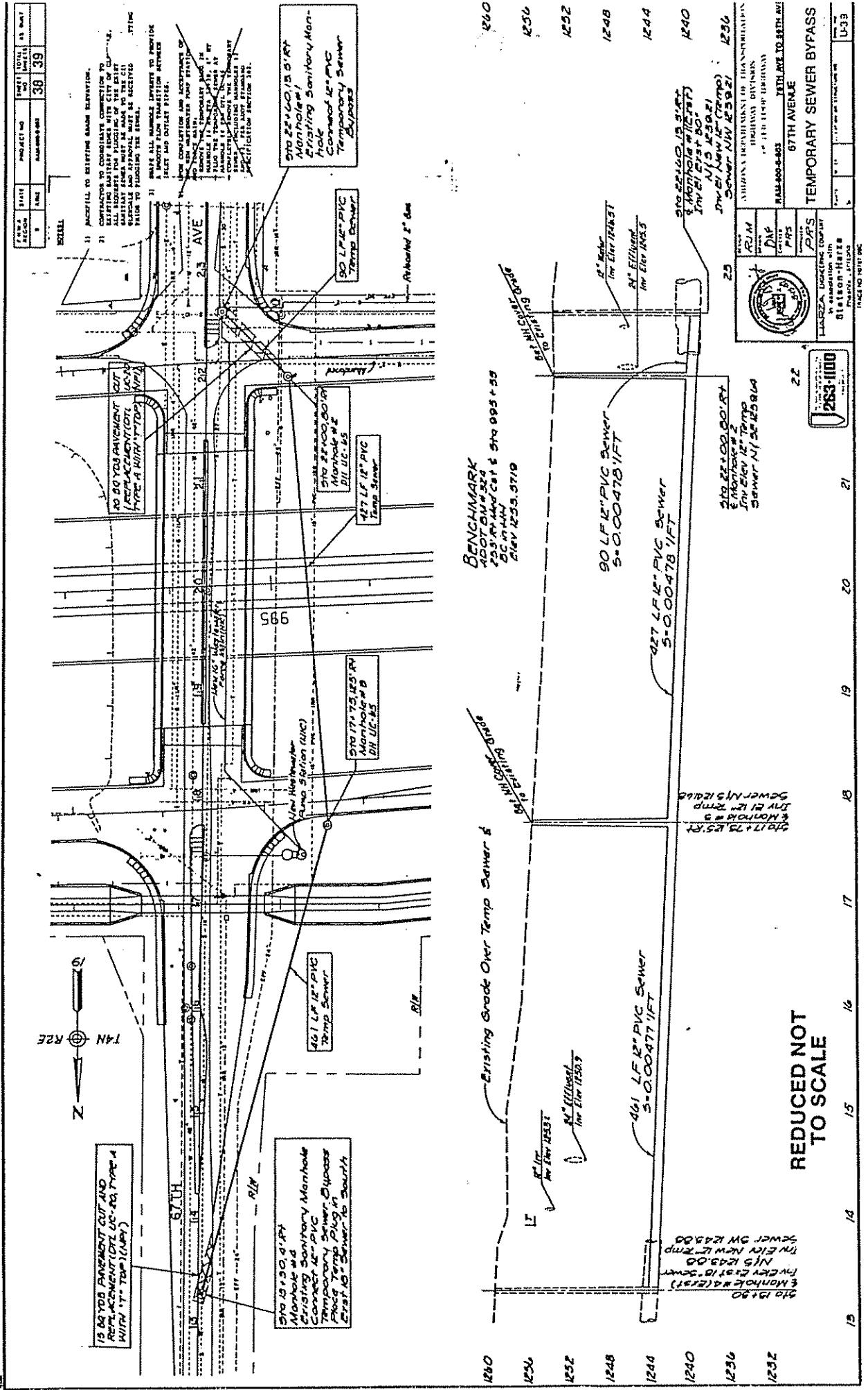
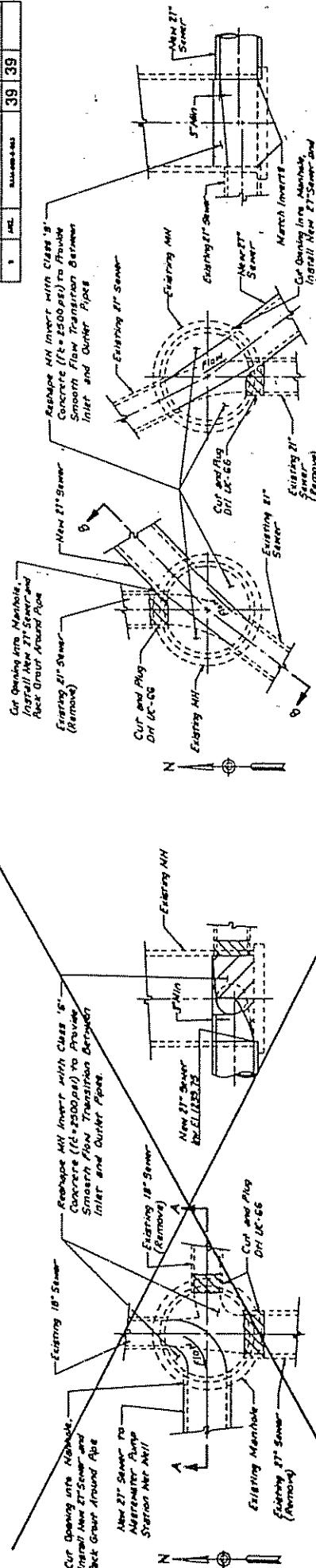


EXHIBIT 'A'

ITEM NO.	DESCRIPTION	QUANTITY ISSUED	UNIT PRICE	AMOUNT
1	AMZ	500	400-400-400-400-400	39
				39
				39



SECTION A

PLAN

CONNECTION TO EXISTING MANHOLE (mt)

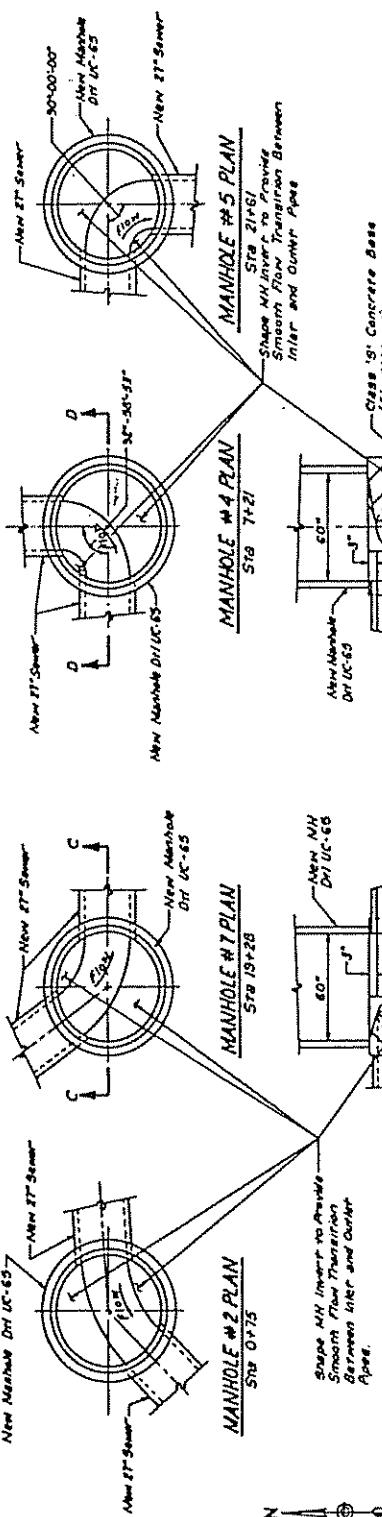
67 1/2 Ave Cct S SW 77-43, 4 RT

(SSTI) TEL 111

MANNHOLE #1 PLAN
55TH AVE CTR & 5TH ST 23-01-37717

MANHOLE #1 PLAN 53rd Ave Ctr & Star 16th St. 3/15/14
53rd Ave Ctr & Size 23'0" x 31'11"

SECTION 8-5



SECTION C-C

SECTION A-A

200

TRANSITION MANHOLES
59th Ave Gravity Sewer Loop

263-100

**SANITARY SEWER
MANHOLE DETAILS**

**REDUCED NOT
TO SCALE**

RESOLUTION NO. 2563 NEW SERIES

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTER-GOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) FOR RELOCATION OF WATER AND SEWER LINES ALONG THE OUTER LOOP HIGHWAY (BEARDSLEY ROAD ALIGNMENT) BETWEEN 59TH AND 75TH AVENUES.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That it is deemed in the best interest of the City of Glendale and the citizens thereof that an intergovernmental agreement with the Arizona Department of Transportation (ADOT) for relocation of water and sewer lines along the Outer Loop Highway (Beardsley Road alignment) between 59th and 75th Avenues be entered into, which agreement is now on file in the office of the City Clerk of the City of Glendale.

SECTION 2. That the Mayor or City Manager and the City Clerk be authorized and directed to execute and deliver said agreement on behalf of the City of Glendale.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 13th day of March, 1990.

GEORGE R. RENNER

M A Y O R

ATTEST:

LAVERGNE BEHM
City Clerk

(SEAL)

APPROVED AS TO FORM:

PETER VAN HAREN
City Attorney

REVIEWED BY:

MARTIN VANACOUR
City Manager

STATE OF ARIZONA)
County of Maricopa) ss
City of Glendale)

I, the undersigned, Lavergne Behm, being the duly appointed, qualified and acting City Clerk of Glendale, Maricopa County, Arizona certify that the foregoing Resolution No. 2563 New Series is a true, correct, and accurate copy of Resolution No. 2563 New Series, passed and adopted at a regular meeting of the Council of the City of Glendale, held on the 13th day of March 1990, at which a quorum was present and voted in favor of said Resolution.

Given under my hand and seal this 19th day of March, 1990.

Lavergne Behm
city Clerk

approved 3/13/90

CITY OF GLENDALE, ARIZONA

CC NO.: 16 - 261

1989/90

COUNCIL COMMUNICATION

DATE: 3/13/90

TO: Honorable Mayor and Council

FROM: City Manager

SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR OUTER LOOP HIGHWAY UTILITIES RELOCATIONS: 59TH TO 75TH AVENUES

SUMMARY

This is a request for approval of an Intergovernmental Agreement between the City of Glendale and the Arizona Department of Transportation (ADOT) for relocation of water and sewer lines along the Outer Loop Highway (Beardsley Road alignment) between 59th and 75th Avenues.

The work is needed due to impending construction of the Outer Loop Highway. The Outer Loop will be depressed in this area, and therefore some relocation of existing buried water and sewer pipelines is required. This IGA provides for the work to be performed by ADOT, and after they are installed and accepted, the relocated lines will be turned over to the City for operation and maintenance.

The City is considered to have prior rights for the utilities to be relocated, and as a consequence, there will be no cost to the City of Glendale for relocation of the water and sewer lines in the area covered by the IGA.

SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR OUTER
LOOP HIGHWAY UTILITIES RELOCATIONS:
59TH TO 75TH AVENUES

PAGE NO. 2

CC NO.: 16 - 261

DATE 3/13/90

RECOMMENDATION

Waive reading beyond the title and adopt the attached resolution which authorizes the City Manager to sign any and all documentation relating to this request.


Martin Vanacour
Martin Vanacour, City Manager

CITY OF
GLENDALE

DATE: February 26, 1990
TO: Martin Vanacour, City Manager
FROM: Grant I. Anderson, City Engineer
SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR OUTER LOOP HIGHWAY UTILITIES
RELOCATIONS: 59TH TO 75TH AVENUES (PROJECT W878091)

RECOMMENDATION

City Council approval of an Intergovernmental Agreement between the City of Glendale and the Arizona Department of Transportation (ADOT) for relocation of water and sewer lines along the Outer Loop Highway (Beardsley Road alignment) between 59th and 75th Avenues is recommended.

DISCUSSION

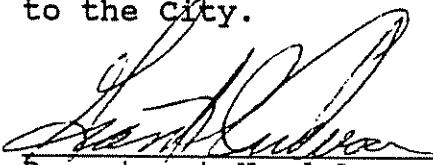
The water and sewer lines which are to be relocated under this IGA were installed mainly during the Arrowhead Ranch Infrastructure installation work. Installation was performed either directly by contract through the City or by Paloma Corporation, with inspected and approved installations turned over to the City.

Subsequent to these installations, ADOT selected the Beardsley Road alignment between 59th and 75th Avenues for installation of the Outer Loop Highway. Further, in order to minimize the impact of the Outer Loop Highway noise, etc., on Arrowhead Ranch, the highway is to be depressed below grade in this area. As a result of the decision to depress the highway through Arrowhead Ranch, some existing water and sewer lines require relocation.

COST ESTIMATE

These relocations will be performed by and paid for by ADOT.

The City of Glendale has prior rights for the water and sewer pipelines located in this area of the Outer Loop Highway alignment, and as such, water and sewer relocations will be performed at no cost to the City.



Department Head Approval



Kenne A. Sheld
Deputy City Manager Approval

GAC/lm
ATTACHMENTS
Sketch
Agreement
Resolution